



PRESCOTT CITY COUNCIL
***JOINT STUDY SESSION/**
***SPECIAL MEETING AGENDA**
***AMENDED**

PRESCOTT CITY COUNCIL
JOINT STUDY SESSION/SPECIAL MEETING*
TUESDAY, JUNE 3, 2008
3:00 P.M.

Council Chambers
201 S. Cortez Street
Prescott, AZ 86303
(928) 777-1100

The following Agenda will be considered by the Prescott City Council at its ***Joint Study Session/Special Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

- ◆ **CALL TO ORDER**
- ◆ **INTRODUCTIONS**
- ◆ **INVOCATION:** Pastor Mark Stafford of Harvest Bible Chapel
- ◆ **PLEDGE OF ALLEGIANCE:** Councilman Bell
- ◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL:

Mayor Wilson	
Councilman Bell	Councilman Luzius
Councilman Lamerson	Councilman Roecker
Councilwoman Lopas	Councilwoman Suttles

- ◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

NOTE: *Anyone wishing to speak regarding an item on the agenda must address the Council using the microphone at the podium. **PLEASE NOTE:** Comments from the public regarding any item on the agenda will be limited to five (5) minutes. Please refer to the Clerk's desk for the timing sequence of the lighting signals: **GREEN** at the beginning of comments, **YELLOW** with one minute remaining, and **RED** when time has ended.*

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 777-1272 OR 777-1100 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

***STUDY SESSION**

I. PROCLAMATIONS

- A. June 2 – 8, 2008 as *Heritage Park Zoological Sanctuary Week*.
- B. June 6, 2008 as *American Cancer Society's Relay for Life Day*.

II. PRESENTATION

- A. Presentation by LEA Architects on the Downtown Fire Station.

III. DISCUSSION ITEMS

- A. Approval of grant recipients in the amount of \$35,000.00 as recommended by the Prescott Area Arts and Humanities Council.
- B. Approval of Resolutions for submission to the League of Arizona Cities and Towns' Resolutions Committee for the 2009 Legislative Session.
- C. Adoption of Ordinance No. 4654-0856 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the sale of miscellaneous surplus property and authorizing the Administrative Services Director to execute any and all documents to effectuate said sales.
- D. Response to Petitions filed on May 13, 2008 re the installation of a pedestrian-activated stop light at the corner of West Gurley and Summit streets.
- E. Response to Petitions filed on May 13, 2008 re immigration issues in Prescott.
- F. Approval of Amendment One to the contract with Weber Group, L.C. for emergency well repairs, with no adjustment for compensation above \$240,000.00 previously approved by Council for a three-year contract (\$80,000 per year).
- G. Adoption of Ordinance No. 4655-0857 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending the zoning map pertaining to that certain property located at the southwest corner of State Highway 89 and Prescott Lakes Parkway described as Parcel Numbers: Portions of 105-09-295A and 105-09-005C, from "Single-Family 9 (PAD)" and "Multi-Family Medium" to "Business General"; and a portion of Parcel Number 105-04-003D, from "Business General" to "Single-Family 9 (PAD)."

- H. Adoption of Resolution No. 3894-0862 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into a Memorandum of Understanding (MOU), with the Northern Arizona Council of Governments (NACOG) Economic Workforce Development, providing for the administration of the voucher transit program for Fiscal Year 2009, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.
- I. Authorization to purchase insurance policies for FY09 totaling \$479,166.00 (\$308,701.00 to AIG; \$45,548.00 to Midwest Employer's Casualty; \$124,917.00 to Traveler's Indemnity Co.).
- J. Award of Banking Services Contract to Wells Fargo.
- K. Adoption of Resolution No. 3892-0860 - A Resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, approving the transfer of unencumbered appropriations from the Capital Improvement Fund to the Self-Insurance Fund.
- L. Adopt Resolution No. 3893-0861 - A Resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, adopting a tentative budget, adopting the estimated amounts required to meet the public expenses for the City of Prescott for the Fiscal Year 2008-2009, authorizing and directing publication of statements and schedules of the tentative budget, together with notice of hearing on said budget and notice of date of final adoption of said budget, and notice of date of establishment of the expenditure limitation, and notice of the date for fixing a tax levy.
- M. Notice of Public Hearing (June 10) and consideration of a liquor license application submitted by Harold Anderson, Agent for Gas Plus, for a Series 10, Beer & Wine Store, license for Gas Plus located at 421 East Sheldon Street.
- N. Approval of the Minutes of the Prescott City Council Regular Voting Meeting of May 13, 2008 and the Study Session of May 20, 2008.
- O. Selection of items to be placed on the Regular Voting Meeting Agenda of June 10, 2008.

IV. ADJOURNMENT

***SPECIAL MEETING**

I. EXECUTIVE SESSION*

- A. Discussion or consultation for legal advice with the attorney or attorneys of the public body, pursuant to A.R.S. 38-431.03(A)(4)
 - 1. Interpretation of City Charter matters.
 - 2. Project plan review processes and procedures.

II. ADJOURNMENT

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on _____ at _____ .m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Lorri Carlson, Deputy City Clerk

PROCLAMATION

“HERITAGE PARK ZOOLOGICAL SANCTUARY WEEK”

June 2-8, 2008

WHEREAS: Heritage Park Zoological Sanctuary is a non-profit wildlife sanctuary with the mission of “Conservation through Education”; and

WHEREAS: the Heritage Park Zoo is dedicated to the conservation and protection of native and exotic animals; and

WHEREAS: the sanctuary is located in scenic Prescott and provides a source of recreation, education and entertainment for all ages; and

WHEREAS: most of the incapacitated and rescued animals are from the wild or from inappropriate captive situations and are respectfully displayed in natural habitats intended to educate the public on a variety of topics; and

WHEREAS: outreach programs and guided tours of the facilities are provided as education service to Northern Arizona; and

WHEREAS: the sanctuary has many opportunities for visitors, including a covered picnic pavilion with a BBQ grill, a children’s playground, and large, naturally landscaped enclosures for the animals with paths that allow visitors the opportunity to get an up-close and personal view of them.

NOW, THEREFORE I, Jack D. Wilson, Mayor of Prescott, by virtue of the authority vested in me by the Constitution and laws of Prescott do hereby proclaim June 2-8, 2008 as:

HERITAGE PARK ZOOLOGICAL SANCTUARY WEEK

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Prescott to be affixed this 3rd day of June, 2008.



JACK D. WILSON, MAYOR
City of Prescott

ATTEST:

ELIZABETH A. BURKE, CITY CLERK
City of Prescott

PROCLAMATION

“AMERICAN CANCER SOCIETY’S RELAY FOR LIFE”

June 6, 2008

WHEREAS: the American Cancer Society is the nationwide community-based voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer through research, education, advocacy and service; and

WHEREAS: by these efforts the overall, age-adjusted cancer mortality rate is declining for the first time in human history and will continue to do so; and

WHEREAS: people are alive today because the knowledge we have gained has translated directly into prevention, early detection and improved treatment; and

WHEREAS: Relay for Life is the national signature event of the American Cancer Society and has just surpassed \$1.5 billion dollars in funds raised since the first Relay for Life held in 1985; and

WHEREAS: the Relay for Life is unique in this community in that it blends fundraising, cancer awareness and prevention activities, fellowship and support for cancer survivors; and

WHEREAS: the American Cancer Society Quad-Cities Community will hold its annual Relay for Life on June 6, 2008 with goals of raising funds and honoring cancer survivors; and

WHEREAS: Relay for Life is about being a community that takes up the fight against cancer; and

WHEREAS: there is no finish line until we find a cure.

NOW, THEREFORE I, Jack D. Wilson, by virtue of the authority vested in me as Mayor of the City of Prescott, Arizona do hereby proclaim June 6, 2008 as:

AMERICAN CANCER SOCIETY’S RELAY FOR LIFE DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Prescott to be affixed this 3rd day of June 2008.



JACK D. WILSON, MAYOR
City of Prescott

ATTEST:

ELIZABETH A. GREEN, CITY CLERK

COUNCIL AGENDA MEMO – June 3, 2008

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DEPARTMENT:	Economic Development
AGENDA ITEM:	Prescott Area Arts and Humanities Council (PAAHC) Grant Recommendations

Approved By:	Date:
Department Head: Jane Bristol <i>JRB</i>	5/28/08
Finance Director:	
City Manager: Steve Norwood <i>Stadley</i>	

BACKGROUND

The Prescott Area Arts and Humanities Council (PAAHC) was designated by City Council to review applications for grant award for FY2008. A panel of PAAHC members met to review the grant applications, ranked them according to specific criteria, and submitted their recommendations for FY2008 funding.

Deborah Thurston, PAAHC President, submitted the attached report and funding recommendations. She will be present on June 3rd to answer any questions related to their process and recommendations.

FINANCIAL

The total funding recommendations including administrative expenses is \$35,000. The funds are available in the Bed Tax Fund, 18-801, for this purpose.

Recommended Action: Move to approve grant awards in the amount of \$35,000 as recommended by PAAHC for arts funding.

Prescott Area Arts & Humanities Council,
GRANT PANEL RECOMMENDATIONS April 2008

APPLICANT	PROGRAM	SCORE %	REQUEST	AWARD
Phippen Museum	34th Annual Western Art Show & Sale	96.25%	5,000	4,815
Prescott Frontier Days	21st Arizona Cowboy Poets Gathering	92.50%	5,000	4,815
Tsunami on the Square	10th Annual Festival	92.50%	5,000	4,815
Prescott Fine Arts Association	Pippen (musical performance)	87.50%	5,000	4,815
Shariot Hall Museum	30th Annual Folk Music Festival	83.75%	4,000	3,200
Smoki Museum	Southwest Indian Arts Festival	80%	4,000	3,200
Elks Opera House Foundation	Doubt: A Parable (performance)	75%	3,250	2,600
Mountain Artist Guild	Kids Art fest 12 scholarships	67.50%	2,400	1,440
Prescott Pops Symphony	Scholarships, Youth tickets, performance fees	65%	5,000	3,000
Prescott Alternative Transportation	Bike-Park-Art	53.75%	3,000	*1,800
Women's Empowerment Breakthrough	Step Up For Kids - step stools for restrooms	52.50%	4,750	*0
Prescott Area Arts & Humanities Council	Administrative Expense			500
TOTAL				35,000

* Note: Panelists agreed that Prescott Alternative Transportation's request met many of the requirements. However they scored low because their funded project for 2007 is behind schedule.

The \$1,800. grant award for Prescott Alternative Transportation will be held by PAAHC until completion of their 07' project. If the project and reporting are not complete by September 1st, 2008 the 08' award will be forfeited. In this instance the \$1,800. will be added to PAAHC/C.O.P. 2009 Grant Funding.

* Panel members consistently noted that the request from Women's Empowerment Breakthrough did not meet requirements for funding.

Scores are based on a total percent of 80 possible points

Scores of 90% and above received .963 of the amount requested

Scores of 70% and above received .80 of the amount requested

Scores below 70% received .60 of the amount requested

**CITY OF PRESCOTT
CULTURAL/PERFORMING ARTS
GRANT AWARDS
2008**

FUNDING CRITERIA

Well-written applications will address each of the four criteria in the order listed below. Applicants may use two single-sided typed pages with a font size no smaller than 12 point to respond to the following criteria in a narrative. Requested attachments include the application form, resume of the person responsible for the program, list of Board of Directors (if any), budget form, proof of non-profit status, and program media or brochures.

Funding Criteria:

Artistic or creative quality of the program (one-half page)

- Describe the event and list dates, times, and locations.
- Include the mission statement of the organization or individual.
- What are the artistic or cultural goals of the event?
- Attach program brochures, flyer, or media, if applicable (maximum five items.)

Program's ability to serve the needs of the Prescott Community (one-half page)

- What is the event's primary target audience?
- Is the event supported by volunteers and experts in the field?
- Show outreach or requests for community participation in the event.
- Show any collaboration with other local organizations and schools.

Appropriateness of budget; effective management; history (one-half page)

- Provide a separate page detailed of the budget for expenses and income for the program.
- How will the applicant use the funds requested?
- Include a narrative, briefly explaining key points in the budget.
- List the person responsible for production of the program, and additional staff.
- Attach resume for the person responsible for the production of the program.
- If applicable, list of Board of Directors, their community affiliations, and contact info.
- Explain how the organization evaluates the effectiveness of the event.
- Briefly state the history of the event and of the organization in producing events.

Tourism impact on the community of Prescott (one-half page)

- What are the organization's promotional strategies?
- Document any event spectator data from previous years.
- Document any data which tracks where spectators come from to attend the event.
- Does the event encourage overnight visitation?

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COUNCIL AGENDA MEMO – June 3, 2008
DEPARTMENT: City Manager's Office
AGENDA ITEM: Approval of Resolutions to be Submitted to the League of Arizona Cities and Towns for Consideration for the 2009 Legislative Session

Approved By:	Date:
Department Head:	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>SN - my sep</i>	

Item Summary

This item is to review and approve resolutions for submittal to the League of Arizona Cities and Towns (the League). The resolutions include some that Prescott is submitting and others that Prescott has been requested to co-sponsor.

Background

Each year, the League holds an annual meeting to review resolutions brought forward from its member cities and towns for the following legislative session. Each resolution submitted must be broadly applicable to all cities and towns, and must have a second city or town signed on as a co-sponsor. Last year Prescott submitted two resolutions, which were adopted and became House Bills. Neither bill was heard by the House however.

Because of changes in the resolution process, a written approval to co-sponsor a resolution is now required by the League.

The resolutions for review as Prescott submissions include the two that were adopted last year, with no changes, and two new resolutions. In addition, Prescott has been asked to co-sponsor three other resolutions, two from Flagstaff and one from Sierra Vista.

Item Review

A brief summary of the resolutions follows:

Prescott Resolutions

Resolution #1-Urges the legislature to modify the liquor laws to give greater consideration to municipalities' recommendations on proposed liquor licenses. The resolution became a League resolution and HB2040, which significantly increased municipal input into liquor licenses. The bill was never assigned to a committee.

Resolution #2-Urges the legislature to modify state statutes to allows cities to request a price range for professional services in a Request for Proposal or Statement of Qualification solicitation, as one of several criteria to be used in evaluating the submittal. The resolution also became a League resolution and HB2285, which was assigned to a committee, but was held and never heard. Rep. Tobin sponsored HB2285 and also met with representatives of the Architects and Engineers' groups along with Councilman Bell and city staff.

Agenda Item: Approve Resolutions to be Submitted to the League of Arizona Cities and Towns for Consideration for the 2009 Legislative Session

Resolution #3-Urges the Arizona Congressional delegation to work on comprehensive immigration reform at the Federal level. The resolution recommends a Federal guest worker program so that service industries which are vital to the economic health of cities and towns are provided some mechanism to fill vacant positions. The resolution also calls for the Federal government to enforce the immigration laws, freeing municipal resources for services to local citizens.

Resolution #4-Urges the legislature to amend Title 39 to allow municipalities to recover actual staff costs when responding to voluminous requests for public records. The resolution recommends adding a search fee and actual hourly costs of staff needed to research vague or over-broad requests, such as "all e-mails" or, in Prescott's case, "all Big Chino documents", which can be literally a truckload of paper. Prescott has received several of these types of requests in the past year, and the amount of staff time required to compile the records is not covered in the current fee allowed by statute, ultimately costing citizens of Prescott.

Other Resolutions

Housing Resolution-This resolution is sponsored by Flagstaff and supports the continued funding of the Housing Trust Fund administered by the Arizona Department of Housing. This fund provides assistance to smaller communities in providing vulnerable populations safe and decent housing.

Arizona Water Supply Revolving Fund Development—This resolution is also sponsored by Flagstaff and would identify and establish revenue sources to fund the Water Supply Revolving Fund authorized by HB2692. Both NAMWUA and ADWR are in support of this resolution.

Physician Shortage—This resolution is sponsored by Sierra Vista and urges the Governor and the legislature to address the major issues affecting the shortage of physicians in Arizona, especially rural Arizona. The resolution was developed with the Sierra Vista regional hospital, and we have asked Yavapai Regional Medical Center to review the resolution and provide their input as well. We expect to have their response by the Council meeting on Tuesday.

It is anticipated that Prescott will receive other requests for co-sponsorship before the June 10th Council meeting. Copies of these requests will be presented to the Council as we receive them for final consideration at the June 10th meeting. Therefore, this agenda item should be placed on the regular agenda for June 10.

Attachments- Resolutions #1-4, Other resolutions

Recommended Action: Final recommendation will be included in the June 10 agenda packet.

RESOLUTION #1

Urges the Legislature to modify state liquor laws to enhance the ability of municipalities to address community-related problems associated with liquor establishments, such as requiring the Department of Liquor Licenses and Control and the State Liquor Board give greater consideration to city recommendations on proposed liquor licenses.

Submitted by: Prescott and Prescott Valley

A. Purpose and Effect of Resolution

This resolution proposes to modify state liquor laws to improve the ability of municipalities to address public safety and quality of life concerns associated with problem liquor establishments, primarily through the State Liquor Department and Board. Some examples are as follows:

- 1) Allow cities to request a hearing of the State Liquor Board at the time of renewal for existing licenses when sufficient reason exists to request the Board to not renew the license; and/or
- 2) Create a 12-month provisional permit for licenses when a municipality recommends denial of a license but the Board grants approval; and/or
- 3) Modify the definition of licensed premises to include parking lots of bars and liquor stores; and/or
- 4) Hold license applicants accountable to commitments made during the application process.
- 5) Modify the membership of the State Liquor Board to include a municipal law enforcement representative.

B. Relevance to Municipal Policy

Poorly managed liquor establishments pose considerable problems for law enforcement and surrounding neighborhoods, such as crime, noise violations and parking issues. Reforms to liquor laws increasing the consideration of impacts to neighborhoods would greatly enhance the ability of municipalities to protect public safety and quality of life in these neighborhoods.

Legislation addressing problem liquor establishments and changes to Arizona liquor laws have been an ongoing challenge for cities and towns. Cities and towns should have the ability to plan their communities as they believe best, including the location and operation of liquor establishments. The proposed provisions allow cities to have a greater role in the liquor licensing process for liquor establishments to ensure that are addressed.

C Fiscal Impact to Cities and Towns

These provisions should result in less police calls for liquor establishment-related incidents reducing the need for law enforcement resources and increased costs to cities and towns.

D. Fiscal Impact to the State

Anticipated costs to the State would be minimal, primarily one time administrative implementation costs by the State Liquor Department and Board.

E. Contact Information

Connie Tucker, Management Analyst for the City of Prescott at 928-777-1144 or connie.tucker@cityofprescott.net.

RESOLUTION #2

Urges the Legislature to modify State Statutes to allow cities and towns to request a price range in a Request for Proposal or Statement of Qualification solicitation for Professional Services.

Submitted by: Prescott, Prescott Valley

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A. Purpose and Effect of Resolution

This resolution proposes to modify State Statutes 34-103 and 34-603 to allow municipalities to request a price range for the fees associated with the services listed in a Request for Proposal/Statement of Qualifications (RFP/SOQ) solicitation. The price range will only be one of several criteria used to evaluate the proposals and would not be allowed to be weighted more than 20% of the total score.

B. Relevance to Municipal Policy

34-103 does not allow a municipality to consider fees for services in the selection process for certain professional services. This has led to many instances where municipalities spend weeks in the selection process and find that the fees charged by the #1 rated firm far exceed the budgeted amount. The municipality is then required to restart the negotiation process with the #2 firm, and so on until a fee within the budgeted amount is agreed upon. In some cases, the municipality has to reissue the RFP/SOQ because they are unable to reach an agreement on fees, resulting in months of delay in starting a project and increasing the costs associated with the project.

The RFP/SOQ process is an important component of any municipality's Capital Improvement Program. Any delay to the process will ultimately result in increased costs to the citizens of the municipality. Having the ability to evaluate the fee structure range at the beginning of the process will enable a municipality to save time and start the project sooner.

C Fiscal Impact to Cities and Towns

This provision should allow municipalities more timely completion of their needed capital projects and other projects requiring professional services, as well as ultimately saving the taxpayers money.

D. Fiscal Impact to the State

There should be no increased fiscal impact to the State.

E. Contact Information

Connie Tucker, Management Analyst for the City of Prescott at 928-777-1144 or connie.tucker@cityofprescott.net.

RESOLUTION #3

Urges the Arizona Congressional Delegation to work on comprehensive immigration reform at the Federal level.

Submitted by: Prescott

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A. Purpose and Effect of Resolution

Immigration reform is vital to the economic development of municipalities in Arizona. Comprehensive immigration reform is needed to address the current shortage of workers in Arizona in the service industries (such as restaurants, hotels, hospitals, landscapers to mention just a few). The League of Cities and Towns should send a letter to our congressional delegation containing the following recommendations:

1. Create a guest worker program. Most illegal immigrants come to the United States to work. A guest worker program would give them a chance to legally work in the United States. By allowing guest workers, U.S. authorities could focus on drug dealers and security hazards instead of job-seekers.
2. Secure the border, prevent illegal residents and workers.
3. Encourage the Federal Government to comprehensively address illegal immigration. Any mandates placed upon local jurisdictions to enforce federal immigration law should be fully reimbursed to the localities for any costs they incur.
4. Inform the public. Too many people still do not have an accurate picture of the full economic impact of immigrant labor.

B. Relevance to Municipal Policy

The Federal government has abdicated its responsibility to secure the borders and enforce immigration laws. Cities have been forced to take resources away from other local services to address immigration issues, straining local budgets. The current shortage of service workers has been further exacerbated through the employer sanctions law, as immigrant labor is leaving the state. Local businesses are at risk when they are unable to hire the workers needed to carry out their trade. As local businesses are affected, sales tax revenue to the cities declines, putting vital services at risk.

C. Fiscal Impact to Cities and Towns

Establishing a guest worker program would allow local authorities to use resources to provide needed services to their citizens instead of using the resources to enforce Federal immigration laws. The net impact would be more usable revenue that could be devoted to vital core programs. It would also have the added benefit of helping to stabilize sales tax revenues.

D. Fiscal Impact to the State

The State would also benefit from a guest worker program, as it too could use its resources on its citizens, and not on Federal immigration enforcement. Similar to the benefits for cities and towns, more usable revenue that could be devoted to vital core programs. For example, less State Police resources would need to be allocated to immigration enforcement issues.

E. Contact Information

Connie Tucker, Management Analyst for the City of Prescott at 928-777-1144 or connie.tucker@cityofprescott.net.

RESOLUTION #4

Amending Title 39-121.01(D) to allow additional fees for voluminous or substantial public records requests.

Submitted by: Prescott

A. Purpose and Effect of Resolution

Municipalities conduct hundreds of public records requests each year. While the majority of such requests are routine, and involve only minimal amounts of documents or a specific document, a small percentage of the records requests require intensive staff time to research and copy the requested records. At a time when municipal budgets are strained and staff increases are unlikely, these voluminous requests will have a significant impact on city staff. Amending Title 38 to provide for and cover the actual staff time and costs for these requests by allowing municipalities to assess a search fee and actual hourly fees to recoup the employee costs involved in fulfilling these voluminous requests will help prevent unduly burdensome and expensive requests, including frivolous type requests, from being foisted on the general public.

B. Relevance to Municipal Policy

Transparency is essential to municipal government and processing public records requests is one component of that transparency. However, the amount of resources required to respond to a small percentage of voluminous records requests are not adequately covered within the statutory limitations. Often, huge boxes of archival material, e-mails, and massive document searches cause hours of staff time and expense. Establishing a reasonable, actual cost fee for these searches will encourage persons to be more specific and directed in their public records requests and will ensure that the extreme costs and time involved in huge requested will not be an additional burden on already strained municipal resources.

Some requests are very vague and over-broad, i.e. “all e-mails” when a city receives tens of thousands of e-mails in a week, or “all documents related to Project X” where Project X is a multi-phase, multi-year project that involves a literal truckload of documents. These types of requests involve excessive staff time, ultimately costing our citizens. Our city and many others have received numerous such requests this past year. If the requestors had to pay for the actual costs associated with these requests, the requestors may be inspired to narrow the scope of the request and limit it to the documents they truly want.

C. Fiscal Impact to Cities and Towns

Cities would be able to recover the actual costs associated with complying with the public records requests, allowing strained staff and financial resources to be used for local services. Requestors desiring huge truckloads of documents should reasonably bear the actual staff time and costs for their voluminous requests.

D. Fiscal Impact to the State

The State would also be able to recover its actual costs as well when processing public records requests.

E. Contact Information

Connie Tucker, Management Analyst for the City of Prescott at 928-777-1144 or connie.tucker@cityofprescott.net.

**LEAGUE OF ARIZONA CITIES & TOWNS
2009 RESOLUTION FORMAT**

Support the maintenance and continued funding of the Housing Trust Fund administered by the Arizona Department of Housing. This flexible funding source is critical to smaller communities' efforts to assist the most vulnerable populations in achieving safe and decent housing.

Submitted by:

City of Flagstaff

A. Purpose and Effect of Resolution

Support the continued maintenance and funding of the Housing Trust Fund ("HTF") administered by the Arizona Department of Housing. The HTF has been depleted to assist in balancing the FY2008 budget and was reduced by \$10.2 million dollars. This prevents new funding commitments until July and there is significant concern that there will be additional reductions in for FY2009. The HTF is a critical tool for communities in providing safe and decent housing for vulnerable and low-income population, especially smaller and rural communities. The funds have provided shelter for the homeless, emergency response to fire closures, health and safety repairs for the elderly and disabled, and many other important functions. For communities not eligible for Federal and alternative sources available to major metropolitan communities this resource is vital to serving those who are unable to help themselves. Additionally, the level of flexibility in the HTF allows it to serve populations outside what most Federal funding sources are restricted to. The HTF must be funded at a level able to sustain the valuable role it plays in Arizona's housing.

B. Relevance to Municipal Policy

The support of the Housing Trust Fund will preserve cities/towns in their ability to provide safe and decent housing for vulnerable populations. It can provide projects or act as leverage for local, Federal and private dollars which combine to produce expanded tangible benefit. The reduction of HTF funds restricts cities'/towns' ability to provide safe and decent housing and shelter.

C. Fiscal Impact to Cities and Towns

The fiscal impact on cities/towns, if the HTF is restored and funded on an ongoing basis, is the sustained ability to apply for and utilize HTF dollars to serve vulnerable populations, react to urgent situations, and leverage outside funds to complete important projects. The \$10.2 million dollar existing reduction is funding not available to cities/towns and it is difficult to quantify the resources that are not able to be accessed due to a lack of HTF for leverage. Future reductions will serve only to further weaken communities.

D. Fiscal Impact to the State

The HTF is already a program of the State and has been a valuable and effective one. The preservation of its funding would potentially require reductions from other sources to address the current and anticipated State budget situation.

E. Contact Information

Name: Jim Wine

Title: Deputy City Manager

Phone: 928-779-7685, ext. 7299

Email: jwine@ci.flagstaff.az.us

**LEAGUE OF ARIZONA CITIES & TOWNS
2009 RESOLUTION FORMAT**

Identify and establish funding sources for Arizona Water Supply Revolving Fund Development authorized by H. B. 2692

Submitted by:

City of Flagstaff

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A. Purpose and Effect of Resolution

H.B. contains the statement that the Legislature finds that many water providers in Arizona, particularly in rural areas, lack access to sufficient water supplies to meet the long term water demands and these providers need financial assistance to construct water supply projects and obtain additional water supplies. The purpose of this resolution is to add to this Act additional revenue sources that would provide dependable, long term financial assistance consistent with the legislative intent.

B. Relevance to Municipal Policy

There is no funding available to support water supply development in rural Arizona. As surface water supplies dwindle and aquifers are reduced due to consumption, potential climate changes, water supplies need to be augmented for sustainability, the economic well being, and quality of life in Arizona. The lack of water will impact the environment, recreation, tourism and second home development even in the areas which have dependable water supplies. Water conservation is a solution for some areas but most of rural Arizona has already developed this to a large extent. This is and will require financing of large rural projects if rural Arizona is to pay "their own pay" for these projects. A funding mechanism needs to be enacted to insure monies are available for loans or other funding solutions are available for these communities.

Long term financing is needed so that cities and towns in rural Arizona do not deplete their bonding capacity to finance large water projects or they simply will not be able to afford these water supply projects. This is an issue that is not isolated to rural Arizona and will have an impact on larger municipalities as water becomes scarce.

C. Fiscal Impact to Cities and Towns

The source of revenue for the Water Supply Fund must be matched to the ultimate size and the length of time needed to accrue a sufficient amount of funds to offer loans. A large number of big water projects are needed throughout Arizona for a long term and the revenue sources need to provide a permanent, dependable, and sufficient income for a long period of time. Assets in a sufficient quantity to serve the water development needs of Arizona are needed and must be dependable.

D. Fiscal Impact to the State

Potential revenue sources include additional property tax allocations (Ad valorem taxes), annual groundwater withdrawal fees for water pumped, transaction privilege tax or a tax assessed on the sale of water, impact fees on new development based on their use of water, well impact fees for new ground water well development and/or more appropriations from the Legislature.

E. Contact Information

Name: Jim Wine

Title: Deputy City Manager

Phone: 928-779-7685, ext. 7299

Email: jwine@ci.flagstaff.az.us

**LEAGUE OF ARIZONA CITIES AND TOWNS
2008 RESOLUTION**

Urges the Governor and the State Legislature to develop and pass legislation that supports the implementation of the 2006 recommendations from the Governor's Emergency Medical Services Access Task Force to address the shortage of physicians in the State of Arizona. The League encourages the Legislature to be consistent with Task Force recommendations, including: expanding the level of Graduate Medical Education (GME) funding; expanding medical school capacity within the state universities; addressing issues affecting the attraction and retention of physicians from out-of-state; reducing obstacles to medical practice in Arizona; and addressing any other major issues that affect a physician's decision to locate or remain in Arizona to practice.

Submitted by: City of Sierra Vista

- A. Purpose and Effect of Resolution:** Part II of the 2005 Arizona Physician Workforce Study, conducted by specialists from the University of Arizona and Arizona State University, identified that since 1992 to 2004, Arizona's physician supply is not keeping up with its population growth. The situation has not gotten any better. Arizona has 219 physicians per 100,000 population, well below the national average of 293 per 100,000. Rural communities in the state are affected by the shortage even more, with one county at under 60 physicians per 100,000. Specialty physicians are particularly difficult to recruit and retain. By way of example, the City of Sierra Vista's regional hospital is now the only location in all of Cochise County in which a woman can deliver a baby outside of a setting in which emergency services are available.

On May 25, 2006, Governor Napolitano signed Executive Order 2006-09, forming the Emergency Medical Services Access Task Force. This Task Force obtained and reviewed data and public input on the issue of physician shortage, with an emphasis on access to emergency care. The Task Force developed a number of recommendations that were presented in a report on December 13, 2006. No legislation has been implemented to improve the situation to date.

Since approximately 60% of physicians who complete their training in Arizona teaching hospitals remain to practice within the state, enhancing the Graduate Medical Education (GME) program is a critical component to addressing this shortfall, one of the Task Force's recommendations. The Task Force also recommended reducing obstacles to medical practice in Arizona. Recruitment and retention of physicians is hampered throughout the state by higher professional liability premiums as compared to other states, and this is certainly an obstacle needing attention.

- B. Relevance to Municipal Policy:** Health care is a key component of the overall quality of life for any community. It is an attraction and retention component for both business and military activities, both of which are the backbone of the state's economy. An adequate supply of physicians is the foundation of quality healthcare, and although most barriers to physician recruitment and retention are beyond the direct control of local government, the health of our citizens should be a strong consideration for local legislative input and advocacy. The National League of Cities has incorporated citizen health in its overall federal legislative platform by developing and advocating for health programs for children and youth.

C. Fiscal Impact to Cities and Towns: There should be no negative fiscal impact on Cities and Towns. To the contrary, not only will there be an intrinsic gain to Cities and Towns in overall quality of life of their residents if accessibility to health care is improved, but all communities in the state can use improved health care as an economic development tool in the future.

D. Fiscal Impact to the State: Implementation of some of the Task Force recommendations will require additional investment by the state in medical education. However, some recommendations can be implemented with little to no affect on state finances. But like the cities and towns, improvement in access to health care results in an improvement in the ability of the State to attract corporations who value health care access as a major factor in relocation to Arizona. In addition, more physicians in the rural areas of the state will reduce the number of trips on already overcrowded roadways that residents from those areas make to the Phoenix or Tucson metropolitan areas to seek treatment.

E. Contact Information:

Robert Blanchard, Sierra Vista City Council Member

Phone: 520-227-8338

Email: rblanchard@ci.sierra-vista.az.us

COUNCIL AGENDA MEMO – JUNE 3, 2008

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DEPARTMENT: ADMINISTRATIVE SERVICES

AGENDA ITEM: ORDINANCE AUTHORIZING THE SALE OF SURPLUS PROPERTY

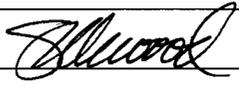
Approved By:

Date: 06/03/2008

Department Head: MIC FENECH

Finance Director: MARK WOODFILL

City Manager: STEVEN NORWOOD



05/23/08

BACKGROUND:

For the past several years, the City has used online auction services provided successfully by Rene Bates Auctioneers for disposal of surplus vehicles and equipment. This contract allows Bates a 10% commission and specifies that Bates will collect and distribute all applicable Arizona taxes (State, County and City). The benefits of online auctioning are as follows:

- Sale items are exposed to a larger market and longer auction time.
- National advertising results in higher prices paid for items.
- Reduces manpower and overtime expenses.
- Eliminates guesswork regarding foul weather on auction day.

Per the City's Procurement Code, Council authorization is required for any item with auction proceeds expected to exceed \$3,000. A list of such vehicles and equipment is attached to this memo and identified as Attachment 'A'.

Also attached as Attachment 'B' is a compilation of past auction data. This data is not intended as a guarantee of auction performance but more as historical information only.

Recommended Action: MOVE to adopt ordinance number 4654-0856.

ORDINANCE NO. 4654-0856

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE SALE OF MISCELLANEOUS SURPLUS PROPERTY AND AUTHORIZING THE ADMINISTRATIVE SERVICES DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID SALES

RECITALS:

WHEREAS, the City Council has determined that the personal property as listed on the attached Exhibit "A" is not needed or not likely to be needed by the City within a reasonable future time; and

WHEREAS, an annual online auction of surplus property is scheduled to be conducted by Renee Bates Auctioneers who conducts regular auctions of surplus governmental properties and has successfully conducted such online auctions on behalf of the City of Prescott; and

WHEREAS, notice of the foregoing auction will comply with the requirements of Article VIII, Section 12 of the City Charter.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT the property listed on Exhibit "A", attached hereto and made a part hereof, is hereby declared to be surplus.

SECTION 2. THAT City staff is hereby directed to sell the property listed on Exhibit "A" at an online auction to be conducted through a public auction and bidding process of surplus property by Renee Bates Auctioneers.

SECTION 3. THAT City staff is hereby empowered to accept the highest responsible bid for each of the items listed on Exhibit "A".

SECTION 4. THAT City Staff is hereby authorized to execute any and all documents in order to effectuate the foregoing sales, and to deliver title to said properties upon payment by the successful bidder of the total bid price.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott, Arizona, on this 10th day of June, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney

VEHICLE AUCTION DATA

Auction Events	Feb-04	Jun-04	Jul-05	Dec-06	May-07	Sep-07	Nov-07
Total Sales	\$94,122.23	\$71,955.00	\$85,639.02	\$96,419.79	\$159,724.02	\$126,691.00	15909.95
Commission	(\$9,412.22)	(\$7,195.50)	(\$8,563.90)	(\$9,641.98)	(\$15,972.40)	(\$12,669.10)	(\$1,591.00)
Net Proceeds	<u>\$84,710.01</u>	<u>\$64,759.50</u>	<u>\$77,075.12</u>	<u>\$86,777.81</u>	<u>\$143,751.62</u>	<u>\$114,021.90</u>	<u>\$14,318.96</u>
<u># of Items Auctioned</u>	<u>34</u>	<u>13</u>	<u>23</u>	<u>29</u>	<u>21</u>	<u>25</u>	<u>11</u>
<u>Average Sale Price per Item</u>	\$2,768.30	\$5,535.00	\$3,723.44	\$3,324.82	\$7,605.91	\$5,067.64	\$1,446.36

*Majority of items were large equipment, hence the higher average sale price

M	COUNCIL AGENDA MEMO – June 3, 2008
L	DEPARTMENT: Transportation Engineering Services
S	AGENDA ITEM: Action to be taken on Petitions filed on May 13, 2008, regarding the installation of a pedestrian-activated signal at the corner of West Gurley and Summit Streets.
M	

Approved By:	Date:
Department Head: Mark Nietupski	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>braytblount for</i>	5-28-08

Item Summary

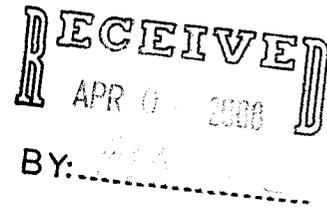
This memo will provide an update on the request for crosswalk improvements at Gurley Street and Summit Avenue made by petition to City Council by Sandra Parker.

- Staff was directed at the May 13, 2008 Council meeting to investigate and report back at a future work session on recommendations for crosswalk improvements at the intersection of Gurley Street and Summit Avenue.
- Transportation Services staff recently met with Lisa Barnes of Prescott Alternative Transportation (PAT) who represented the concerns of the petitioners, to discuss possible alternatives for inclusion in the study and how the process will proceed. As a result of this meeting staff recommended the item be placed on a future Transportation Coordinating Committee (TCC) meeting for discussion. This meeting is scheduled for June 5th, 2008 and will be used to direct the process and determine the next steps.
- It is anticipated that this item will require additional time before it returns to Council so that the residents, TCC and staff can fully investigate all possible solutions per normal traffic request procedures.
- The petitioner has agreed to begin this process by attending the June TCC meeting and staff will keep Council updated as the process moves forward.
- An update will be provided to City Council during the month of July 2008.

Recommended Action: **MOVE** to direct staff to continue working with the petitioners to address pedestrian safety at the Gurley Street crosswalk at Summit Street.

4 April 2008

PUB.
COMMENT



Mr. Ian Mattingly
Public Works Department
City of Prescott
Post Office Box 2059
Prescott, Arizona 86302

Re: Pedestrian-activated Stoplight
Gurley and Summit Streets

Mr. Mattingly,

We residents as well as business owners and customers of the Gurley-Summit neighborhood, request the City of Prescott install a traffic-calming device (a pedestrian-activated stoplight) at the corner of West Gurley and Summit streets. This stoplight would make it safer to cross Gurley Street on foot and on bicycle, by controlling vehicular traffic on Gurley Street. We also request a hearing with the City Council, to present our statements and petitions¹ regarding this stoplight.

At present, this pedestrian crosswalk is marked by only one sign posted each direction, and fading painted street lines laid across the road.² Both are usually unseen and ignored by traffic heading both east and west on Gurley. Most drivers heading east from both West Gurley and the stoplight at Miller Valley Road, race towards downtown, rarely stopping for pedestrians attempting to cross Gurley. Rush-hour, sunrise and sunset (with impaired visibility due to low sun elevation), and the dark of night, are all especially hazardous times. This has caused at least one person recently to be struck by a hit-and-run driver. A pedestrian-activated light would slow down ('calm') traffic in a residential area, and prevent future accidents and injuries, as well as liability to the city.

Vehicular traffic across Gurley from both North and South Summit is not heavy. However, this is a vibrant area for pedestrians. West Gurley and Summit streets host apartments and residences, two churches, two elementary schools, college offices, two social services centers, one museum, one restaurant, one aikido dojo, and at least five businesses.

¹ Petitions of nearly 500 signatures will be provided to yourself and the City Council

² The City laid a crosswalk at this corner, recognizing a pedestrian crossing is necessary here.

Pedestrians in the area include:

Children: Sacred Heart Catholic Elementary School, Lincoln School, Catholic Social Services, a boy scout troop (meets at Prescott United Methodist Church), children's events at both churches and at Sharlot Hall Museum.

Daily Pedestrians: homes and apartments on North and South Summit, customers at local businesses, and meetings and activities at Catholic Social Services, St. Vincent De Paul, Prescott United Methodist Church, and Sacred Heart Church.

Businesses: Maytag Appliances, A-To-Z Vac Works, Apple Pan Too, Wildflower Beads, One Root/Magpie, Wells' Gun Shop, St. Vincent de Paul, Head-To-Toe Beauty Salon, Aikido of Prescott dojo.

Sunday Church Services and Weekday Church Activities: Sacred Heart Catholic Church, Prescott United Methodist Church

Special Events: Sharlot Hall Museum, Prescott United Methodist Church, Sacred Heart Catholic Church.

The City of Prescott recently upgraded North Summit street, including a new sidewalk on the east side. We thank you for these improvements. Now would be an optimal time to make this area safer and more hospitable for residents and visitors who use that new sidewalk (as well as sidewalks on Gurley and Summit).

We request the opportunity to address yourself and the City Council on this safety matter. To set a date and time and for any questions or further comments, please contact Sandra Parker (445-5001, daytime).

Thank you in advance to your attention to this request.

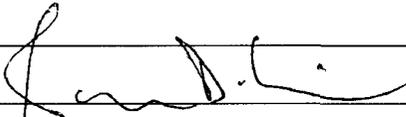
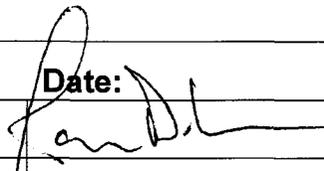
Residents, Business Owners and Customers
Summit and West Gurley, Prescott, Arizona

cc: ↘ Jack Wilson, Mayor
Steve Norwood, City Manager
City Council Members:
 Laura Lopas
 Bob Bell
 Robert Luzius
 James Lamerson
 Mary Ann Suttles
 Bob Roecker
Prescott Mayor's Bicycle Advisory Committee
Prescott Alternative Transportation

We the undersigned residents and business owners and customers request a pedestrian-activated stop light be installed at the corner of West Gurley and Summit streets to control vehicular traffic on Gurley Street, in order to make it safer to cross Gurley Street on foot.

	Name	Address + Telephone #	Signature
1	Margaret Mendoza	One Root / Magpie - 500 West Gurley 778-5880	<i>Margaret Mendoza</i>
2	Sandra Parker	110 North Summit 445-5001	<i>Sandra Parker</i>
3	KARL T. STERTENYCH	143 N. McCORMICK ; SUITE 101 308-5073	<i>Karl T. Stertenych</i>
4	Rachel Ellis	220 220 GROVE AVE, PRESCOTT, AZ	<i>Rachel Ellis</i>
5	BONITA SANDLER	222 GRACE AVE, PRESCOTT, AZ	<i>Bonita Sandler</i>
6	Rich Brown	Stetson Lane 703-946-8597	<i>Rich Brown</i>
7	KAREN LERIC	248 S PLEASANT ST	<i>Karen Leric</i>
8	C. Travis Eckhart	1422 Paar Dr.	<i>C. Travis Eckhart</i>
9	Anne Eckhart	1422 Paar Dr	<i>Anne Eckhart</i>
10	BOB WARD	1534 Nile High Dr.	<i>Bob Ward</i>
11	William Cherry	1735 Far View	<i>William H. Cherry Jr</i>
12	LUIS HURTADO	4800 BUTTERFLY DR. PRESCOTT AZ.	<i>Luis Hurtado</i>
13	Dean Card	303 E Gurley #170 Prescott AZ 86301	<i>Dean Card</i>
14	Tamara Kettle	5687 E Chase Circle Prescott	<i>Tamara Kettle</i>
15	DIANE DILLON	5447 E Sapphire DR Prescott	<i>Diane Dillon</i>

COUNCIL AGENDA MEMO – June 3, 2008	
DEPARTMENT:	City Council
AGENDA ITEM:	Response to Petitions filed on May 13, 2008 re Immigration Issues in Prescott

Approved By:		Date:	
Department Head:	Jack Wilson	 	
Finance Director:	Mark Woodfill		
City Manager:	Steve Norwood		5-28-2008

Item Summary

This item is to respond to the petitions filed May 13, 2008 regarding immigration issues in Prescott.

Background

The Prescott City Charter requires the City Council to act upon any petition filed by any citizen of the city within thirty days. The petition filed by Sr. Anne Fitzsimons asks the Council :1) to lobby the Federal government to pass new federal immigration legislation that will provide a process for law-abiding immigrants to apply for a work visa; 2) not to send any police officers for ICE training; and 3) to use resources for programs for all members of the community rather than focusing on efforts to deport unauthorized immigrants with no history of criminal activity.

Recommended Response

In response to the petition items the Council may consider:

- The City will continue its policy regarding ICE training for police officers. If training becomes available from the Department of Homeland Security, we will send officers.
- One of the resolutions to the League of Arizona Cities and Towns (Item B on the agenda) requests the League to pressure the Arizona Congressional Delegation to implement a guest worker program and address immigration reform.
- The City's spending of Public Safety funds is appropriate
- Or any action as directed by Council

Recommended Action: Discussion item only

Name, Sr. Anne Fitzsimons

Address, 229 N. Summit, Prescott, AZ 86301

Mayor Wilson and City Council, today I present to you a petition prepared by the Northern Arizona Interfaith Council and the Aztlan Center, and signed by 178 concerned citizens of Prescott. The petition reads as follows
..... *62 residents*

These people urge you to use the power invested in you by us, the voters, to lobby the federal government to create and pass into law “new federal immigration legislation that will include a fair, clear, rapid, affordable process for law-abiding immigrants to apply for a work visa or for citizenship.”

Please give our petition your time and attention. In the process of asking for signatures I spoke with one person who is married to an immigrant. His fees to achieve citizenship came to \$10,000, and for another immigrant their costs reached \$30,000 before the goal of citizenship was reached. This is truly scandalous and a blight on our whole nation.

Also included in our petition is a request that no officers be sent to have ICE training. This is probably a moot question for the moment, judging from the press release stemming from your April 30th meeting in Phoenix, and I quote: “However, the State office does not believe we will be receiving any certification training” for our Prescott police in the field.

The third item is to ask that available resources be used for programs which will keep in mind the safety and common good of all members of our community rather than focusing on efforts to deport unauthorized immigrants who have no history of criminal activity.

I now respectfully present the petition and signatures to you, Mayor Wilson, with copies to our Council Members.

Petition to Mayor and City Council of Prescott, Arizona

We the undersigned voters of Prescott, Arizona, are opposed to the training of our local police officers as ICE immigration officers. Without complete trust and faith in their police force, residents, whether documented or undocumented, fear being detained, and will not come forward when crimes are committed, regardless of their citizenship. We believe that the immigration problems in our community will only be solved through new federal immigration legislation that will include a fair, clear, rapid, affordable process for law-abiding immigrants to apply for a work visa or for citizenship. Please use our tax money and other resources only for programs which bring about the common good for **all** members of our community.

NAMES OF REGISTERED VOTERS

PRESCOTT ADDRESS

Signature <u>[Handwritten Signature]</u>	<u>196 Vallejo St.</u>
Print <u>Ray Frias</u>	<u>Prescott, AZ 86301</u> zip
Signature <u>Magdalena J. Arredondo</u>	<u>196 Vallejo St.</u>
Print <u>MAGDALENA L. ARREDONDO</u>	<u>Prescott, Arizona 86301</u> zip
Signature <u>[Handwritten Signature]</u>	<u>196 Vallejo St.</u>
Print <u>Diana Castana</u>	<u>86301</u> zip
Signature <u>[Handwritten Signature]</u>	<u>3707 W. Johnson</u>
Print <u>Gloria Valdovinos</u>	<u>Prescott Valley AZ 86314</u> zip
Signature <u>[Handwritten Signature]</u>	<u>3707 E. Tracy St.</u>
Print <u>Salvador Garcia</u>	<u>Prescott Valley AZ 86314</u> zip
Signature <u>[Handwritten Signature]</u>	<u>196 Vallejo St.</u>
Print <u>Kristen Verton</u>	<u>Prescott, Arizona 86301</u> zip
Signature <u>[Handwritten Signature]</u>	<u>P.O. Box 11912</u>
Print <u>GLORIA L. FRIAS</u>	<u>PRESCOTT, AZ 86304</u> zip

Citizen circulating this petition _____

(Please return the signatures to Sr. Anne, 150 Fleury, by May 10th, '08)

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COUNCIL AGENDA MEMO – June 3, 2008
DEPARTMENT: Utilities
AGENDA ITEM: Approval of Amendment No. One to Contract #2007-228 with Weber Group L.C. for emergency well repairs.

Approved By:	Date:
Department Head: Jim Ciaffoni	
Finance Director: Mark Woodfill	
City Manager: Steven P. Norwood <i>Steven P. Norwood</i>	5-28-08

Item Summary

This item is to amend contract No. 2007-228, Emergency Well Maintenance and Repairs, with Weber Group, L.C. The amendment will allow more flexibility in addressing the uncertainty of emergency repairs by increasing the current purchase order for the contract to the full \$240,000.00, as authorized by Council on April 24, 2007.

Background

The subject contract was awarded by Council on April 24, 2007 for a term of three (3) years, from April 24, 2007 to April 23, 2010. The contract was for on-call service and replacement of any City well pumps, motors, or associated equipment. The contract was not for a specified dollar amount, but a unit cost schedule was included so that each individual cost item that might occur would have an agreed-upon amount associated with it by contract. In both the April 24, 2007 Council Agenda Memo, and in the contract with Weber Group, the fact that the City had budgeted \$80,000 in FY08 for this purpose and intended to budget this same amount annually for the remainder of the contract term was included for information. The amount of \$240,000 was, in effect, the subject of approval at that time.

On April 24, 2007 a purchase order was issued to Weber Group in the amount of \$80,000. Due to the uncertain nature of the timing of emergency events, Water Operations was required to incur expenses of approximately \$120,000 during FY08. Weber initially provided services beyond the \$80,000, but sought an increase to the purchase order before furnishing additional services. Recently, Well No. 2, which had been provided with a new power cable in January 2008 and inspected for pump and motor condition, malfunctioned, leaving the City in a position of having to react immediately given the rapidly increasing demand of the upcoming summer peak period. The outstanding purchase order was increased under the EMERGENCY provisions of the Procurement Code by \$80,000, and repairs to Well No. 2 are currently in progress.

Agenda Item: Approval of Amendment No. One to Contract #2007-228 with Weber Group L.C. for emergency well repairs.

This amendment will augment the purchase order from the currently authorized level of \$160,000 to the full \$240,000 if required by any emergencies that may occur through the remainder of the contract term ending April 23, 2010.

The recent experience of having numerous pump repair and replacement expenses is not typical, and the Utilities Department has no reason to believe that the total funding of \$240,000 over the 3-year contract term will be exhausted.

Budget

The current FY 08 budget allocated \$80,000 in the Water Fund for this activity. The tentative FY09 budget has \$80,000 included for the same purpose, and \$80,000 is included in the 5-year Water CIP presently being considered by Council. There will be unexpended amounts in other projects with the Water Fund to cover the overage for FY08.

Attachments

A copy of the proposed Amendment form is included for your review.

Recommended Action: MOVE to approve Amendment No. One to Contract No. 2007-228 with Weber Group, L.C. for Emergency Well Maintenance and Repairs with no change in total compensation of \$240,000.00.

**WELL SERVICE AGREEMENT
WEBER GROUP, L.C.**

AMENDMENT NUMBER ONE

WHEREAS, the City of Prescott and Weber Group, L.C. entered into a Well Service Agreement on or about the 24th day of April, 2007, more particularly identified as City Contract Number 2007-228; and

WHEREAS, the parties wish to amend the foregoing agreement in order to provide for the expenditure of two hundred forty thousand dollars, \$240,000, over the term of the contract through April 23, 2010.

NOW, THEREFORE, in consideration of the covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each party to the other, it is hereby agreed as follows:

1. That the Paragraph entitled "COMPENSATION" section (C) of City Contract Number 2007-228 is hereby amended to read as follows:

"C. The Work shall be performed on an on-call basis payable in accordance with the services actually performed for the items bid price, not to exceed two hundred forty thousand dollars (\$240,000) through the term of the contract through April 23, 2010, for Emergency Well Maintenance and Repair. The CITY does not represent, warrant or guarantee that the maximum compensation amount will be expended. The City reserves the right to increase or decrease budgeted amounts at its sole discretion."

2. That except as amended herein, City Contract Number 2007-228 remains in full force and effect.

DATED this _____ day of _____, 2008.

WEBER GROUP, L.C.

By: _____
Name:
Title:

COUNCIL AGENDA MEMO – June 3, 2008
DEPARTMENT: Community Development
AGENDA ITEMS: Request to rezone portion of parcels APN 105-09-295A and 105-04-005C from SF-9 (PAD) and MF-M to Business General (BG) and a request to rezone portions of parcel APN 105-04-003D from Business General (BG) to SF-9 (PAD).

Approved By:	Date:
Department Head: Tom Guice	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>Mark Woodfill for</i>	<i>5-28-08</i>

This is a request to amend the current City of Prescott Zoning Map to reflect the changes to the following portions of APN 105-09-295A and APN 105-04-005C from SF-9 (PAD) and MF-M to Business General (BG) and to rezone portions of APN 105-04-003D from Business General (BG) to SF-9 (PAD).

PROPOSED DEVELOPMENT

The proposal is to convert the zoning of portions of existing parcels to reflect City Council's recent amendment of the 2003 General Plan Map.

NEIGHBORHOOD COMPATIBILITY

A neighborhood meeting was held on April 24, 2008 at 6:30pm. Approximately 30 residents came to that meeting, in which, the project was detailed to the attendees. There was no opposition to the project from those that attended and no opposition from others within the neighborhood. This property is located at a signalized street intersection. The neighborhood includes a mix of uses including single family residences, a church complex, an office park and a charter school. The proposed development can be considered to be compatible with the neighborhood.

PLANNING COMMISSION REVIEW AND RECOMMENDATION

The Commission reviewed this request (along with the request for amending the 2003 General Plan) at their meeting on 04/24 and 05/08/08 (Public Hearing) and by vote of 6:0 recommends approval of the request.

Recommended Action: MOVE to adopt Ordinance Number 4655-0857.
--

ORDINANCE NO. 4655-0857

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING MAP PERTAINING TO THAT CERTAIN PROPERTY LOCATED AT THE SOUTHWEST CORNER OF STATE HIGHWAY 89 AND PRESCOTT LAKES PARKWAY DESCRIBED AS PARCEL NUMBERS: PORTIONS OF 105-09-295A AND 105-09-005C, FROM "SINGLE-FAMILY 9 (PAD)" TO "BUSINESS GENERAL"; "MULTI-FAMILY MEDIUM" TO "BUSINESS GENERAL"; AND A PORTION OF PARCEL NUMBER 105-04-003D, FROM "BUSINESS GENERAL" TO "SINGLE-FAMILY 9 (PAD)"

RECITALS:

WHEREAS, the owner of certain properties within the corporate limits of the City of Prescott has requested an amendment to the Zoning Map pertaining to its property; and

WHEREAS, the Planning and Zoning Commission of the City of Prescott has held public hearings regarding said Zoning Map Amendment, subject to certain conditions; and

WHEREAS, the City Council of the City of Prescott has determined that it would be in the best interest of public necessity, interest, convenience or general welfare to amend the Zoning Map pertaining to said properties;

WHEREAS, the requirements of the City of Prescott *Land Development Code* have been complied with.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT, the Zoning Map pertaining to the following described parcels of land, generally located on the southwest corner of State Highway 89 and Prescott Lakes Parkway and described as a portion of Parcel Numbers 105-09-295A and 105-09-005C, Prescott, Yavapai County, Arizona, is hereby approved for amendment from "Single-Family 9 (PAD)" to "Business General (BG)", Exhibit A attached hereto and made a part hereof, "Multi-Family Medium" to "Business General (BG)", Exhibit B attached hereto and made a part hereof; and a portion of Parcel Number 105-04-003D, from "Business General" to "Single-Family 9 (PAD)", Exhibit C attached hereto and made a part hereof.

SECTION 2. THAT the Mayor and Staff are hereby authorized to take all such steps as may be necessary to effectuate said Zoning Map Amendment.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 10th day of June, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney

EXHIBIT "A"

DAVA AND ASSOCIATES
310 EAST UNION STREET PRESCOTT, ARIZONA 86303
928 778-7587

RE-ZONING AREA 1

A portion of Section 23, Township 14 North, Range 2 West of the Gila and Salt River Meridian, Yavapai County, Arizona, and also being a portion of Tract "C" as shown on the final plat of Cliff Rose-Unit 3, Phase C, P.A.D. as recorded in Book 31 of Maps and Plats, Pages 22-23 in the Yavapai County Recorder's Office, and described as follows:

COMMENCING at the center quarter-section corner of Section 23 as shown on said final plat, as identified by a ½" rebar;

Thence, along the north line of Cliff Rose-Unit 3, Phase C, P.A.D.,
North 81°43'52" East, 339.62 feet to the northeast corner of Lot 265 as shown on
the final plat of Cliff Rose-Unit 3, Phase C, P.A.D.;

thence, continuing along the north line of Cliff Rose-Unit 3, Phase C, P.A.D., North 81°43'52"
East, 510.00 feet to the **POINT OF BEGINNING**.

Thence, continuing along the north line of Cliff Rose-Unit 3, Phase C, P.A.D., North
81°43'52" East, 453.75 feet to the most easterly corner of said Tract "C" as
identified by a ½" rebar;

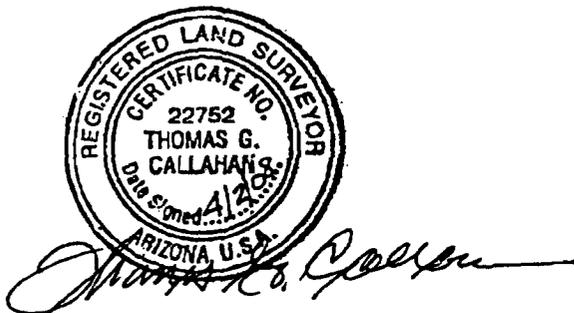
thence, along the southeasterly line of Tract "C", South 38°50'39" West, 451.49 feet;

thence, departing the southeasterly line of Tract "C", South 84°15'03" West, 123.06 feet;

thence, North 08°16'08" West, 301.85 feet to the **POINT OF BEGINNING**.

Containing approximately 2.03 acres.

I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.



EXPIRES 6/30/2008

REZONING EXHIBIT

PORTIONS OF SECTION 23, T14N, R2W
GILA AND SALT RIVER MERIDIAN,
YAVAPAI COUNTY, ARIZONA

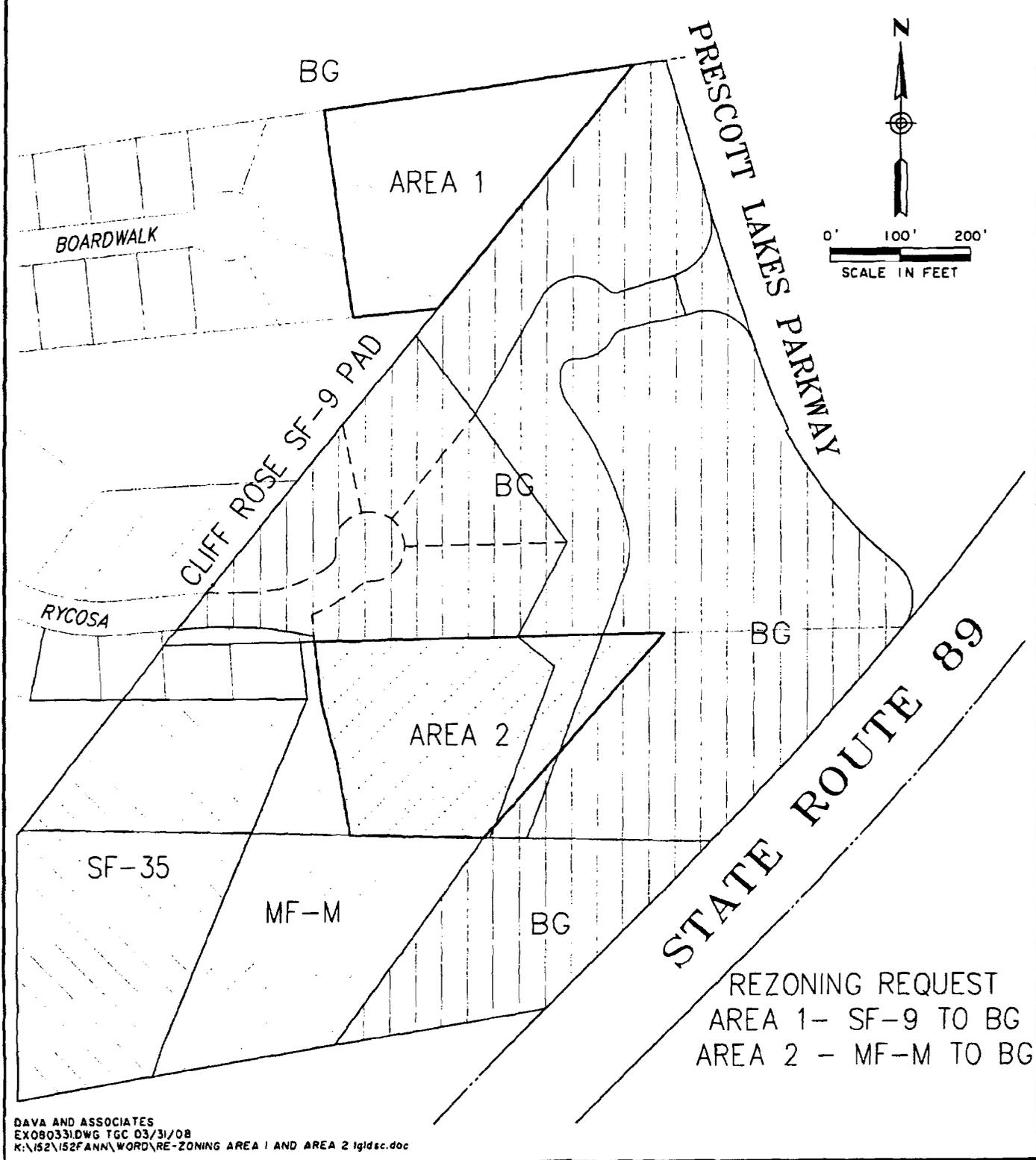


EXHIBIT "B"

**DAVA AND ASSOCIATES
310 EAST UNION STREET PRESCOTT, ARIZONA 86303
928-778-7587**

RE-ZONING AREA 2

A portion of Section 23, Township 14 North, Range 2 West, of the Gila and Salt River Meridian, Yavapai County, Arizona, described as follows.

COMMENCING at the southwest corner of the parcel described in Book 3544 of Official Records, Page 982, in the Yavapai County Recorder's Office;

thence, along the southerly boundary of said parcel South 88°48'15" East, 482.95 feet, to the **POINT OF BEGINNING**.

Thence, departing said southerly boundary, North 10°10'45" West, 95.93 feet;

thence, North 14°14'29" West, 104.21 feet;

thence, North 06°31'06" West, 86.49 feet, to a point on the northerly boundary of the parcel described in Book 3544 of Official Records, Page 981 in the Yavapai County Recorder's Office;

thence, along a portion of the northerly boundary of the parcel described in Book 3544 of Official Records, Page 981 in the Yavapai County Recorder's Office, North 88°43'54" East, 506.57', to a point on the westerly boundary of the parcel described in Book 3862 of Official Records, Page 517, in the Yavapai County Recorder's Office.

thence, along said westerly boundary of said parcel described in Book 3862 of Official Records Page 517, along a non-tangent curve to the right, having a chord bearing South 37°26'37" West, a chord length of 17.25 feet, a radius of 125.00 feet, a central angle of 07°54'43", and an arc length of 17.26 feet;

thence, continuing along said westerly boundary, of said parcel described in Book 3862 of Official Records Page 517, South 41°23'58" West, 377.19 feet, to the southerly boundary of said parcel;

thence, along the southerly boundary of said parcel described in Book 3544 of Official Records, Page 982, North 88°48'15" West, 194.16 feet, to the **POINT OF BEGINNING**.

Containing 2.3 acres.

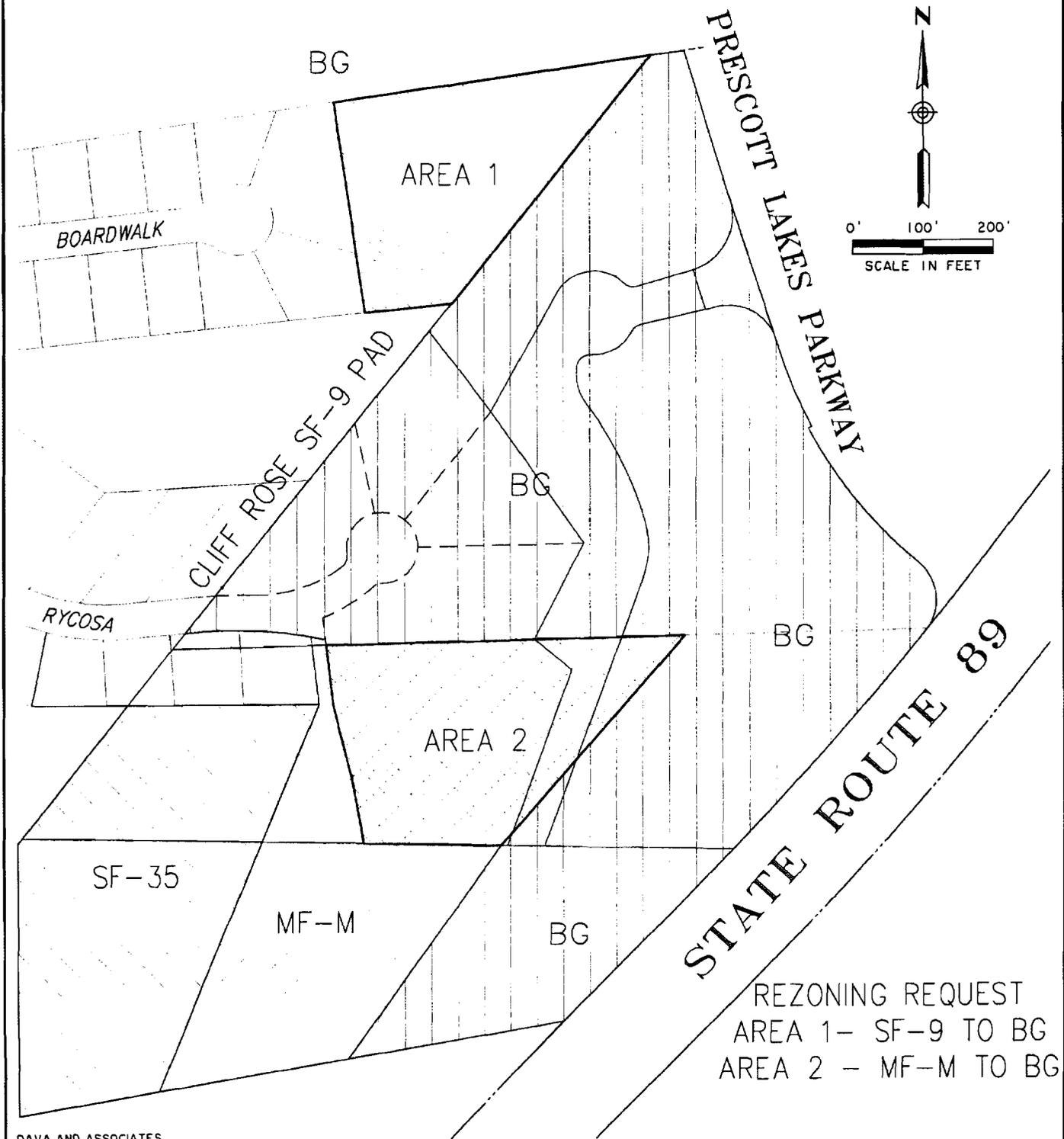
I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.



EXPIRES 6/30/2008

REZONING EXHIBIT

PORTIONS OF SECTION 23, T14N, R2W
GILA AND SALT RIVER MERIDIAN,
YAVAPAI COUNTY, ARIZONA



REZONING REQUEST
AREA 1 - SF-9 TO BG
AREA 2 - MF-M TO BG

EXHIBIT "C"

**DAVA AND ASSOCIATES
310 EAST UNION STREET PRESCOTT, ARIZONA 86303
928-778-7587**

RE-ZONING AREA 3

Description of land located in Section 23, Township 14 North, Range 2 West, of the Gila and Salt River Meridian, Yavapai County, Arizona, described as follows.

BEGINNING at the easterly termination of the southerly right of way of St. James Place per the final plat of Cliff Rose, Unit 3, Phase C, PAD, filed and recorded in Book 31 of Maps and Plats, Pages 22 – 23, in the Yavapai County Recorder's Office;

thence, along the easterly boundary of said Cliff Rose, Unit 3, Phase C, PAD, North 38°54'31" East, 83.38 feet (recorded as North 38°37'53" East);

thence, continuing along said easterly boundary, North 38°50'39" East, 461.95 feet (recorded as North 38°34'01" East);

thence, departing said line, South 37°09'20" East, 144.32 feet;

thence, South 35°33'29" East, 227.42 feet;

thence, South 27°30'23" West, 153.39 feet, to a point on the northerly boundary of the parcel described in Book 3544 of Official Records, Page 982, in the Yavapai county Recorder's Office;

thence, South 88°43'54" West, 293.74 feet, to a point on the southerly boundary of the westerly parcel described in Book 3544 of Official Records, Page 981, in the Yavapai County Recorder's Office;

thence, North 06°37'14" West, 8.19 feet, to a point on the northerly boundary of the westerly parcel described in Book 3544 of Official Records, Page 981, in the Yavapai County Recorder's Office;

thence, along said northerly boundary, along a non-tangent curve to the left having a chord bearing of North 86°06'30" West, a chord distance of 172.92 feet, a radius of 575.00 feet, a central angle of 17°17'45", and a length of 173.58 feet;

thence, continuing along said northerly boundary, South 85°14'37" West, 23.63 feet,
to the **POINT OF BEGINNING**.

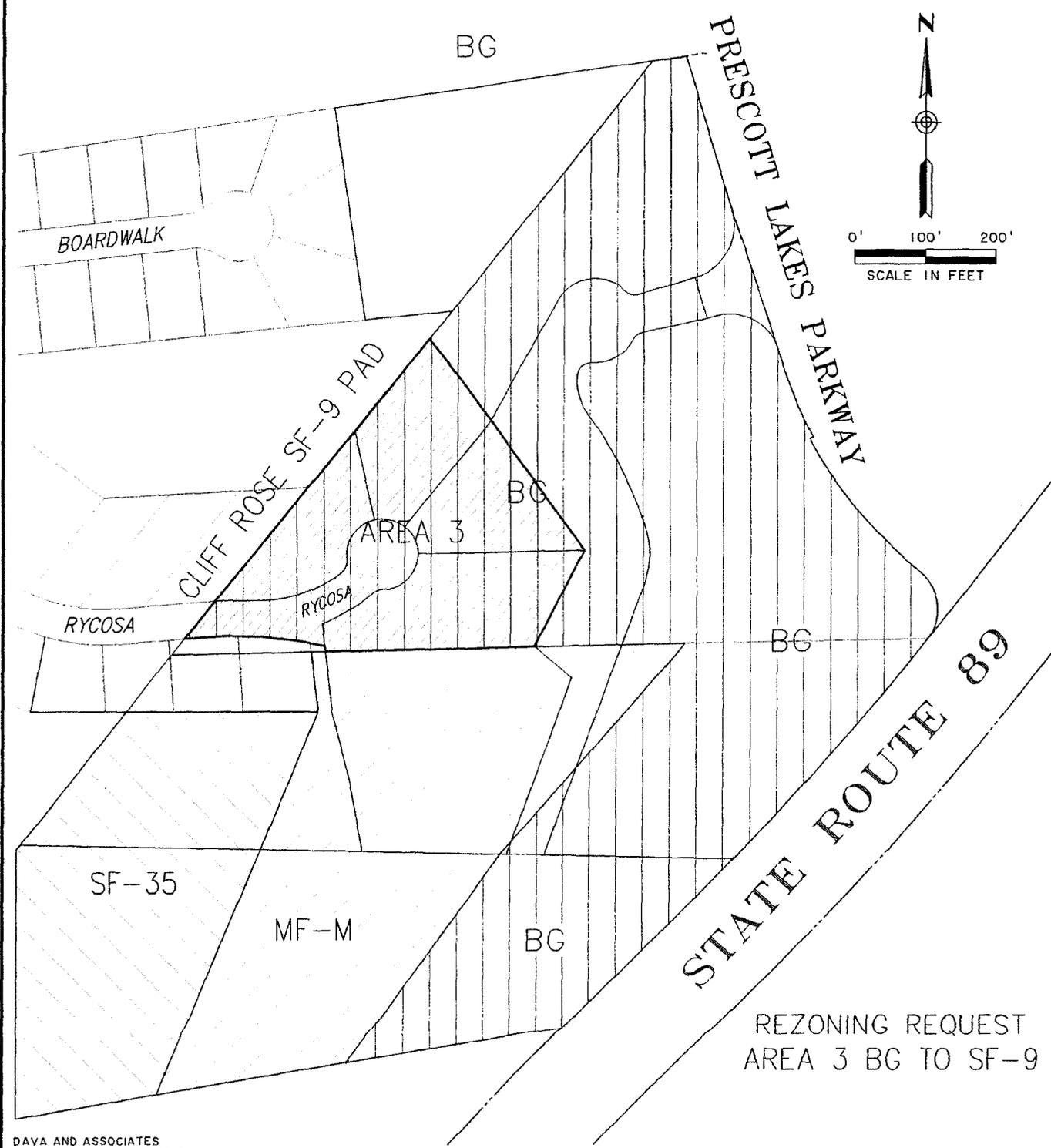
Containing 3.06 acres.

I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of
Arizona, that this description was prepared under my direction and contains
adequate information to allow retracement thereof.



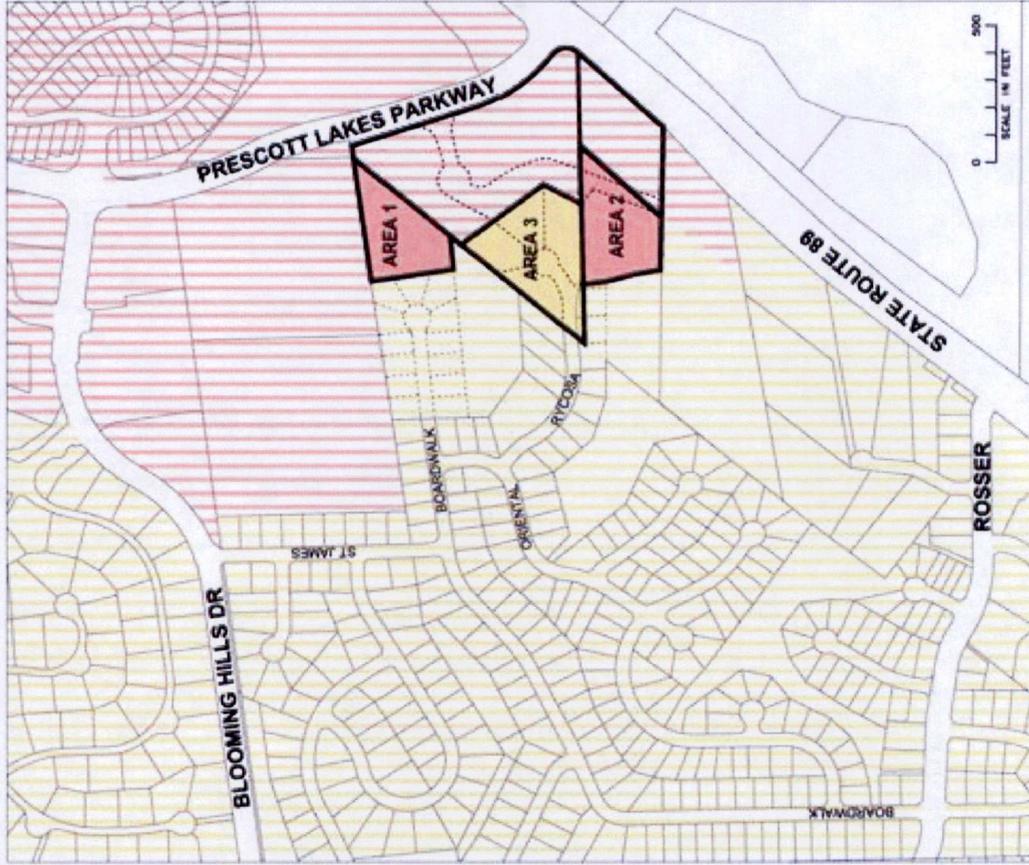
RE-ZONING EXHIBIT

PORTIONS OF SECTION 23, T14N, R2W
GILA AND SALT RIVER MERIDIAN,
YAVAPAI COUNTY, ARIZONA



REZONING REQUEST
AREA 3 BG TO SF-9

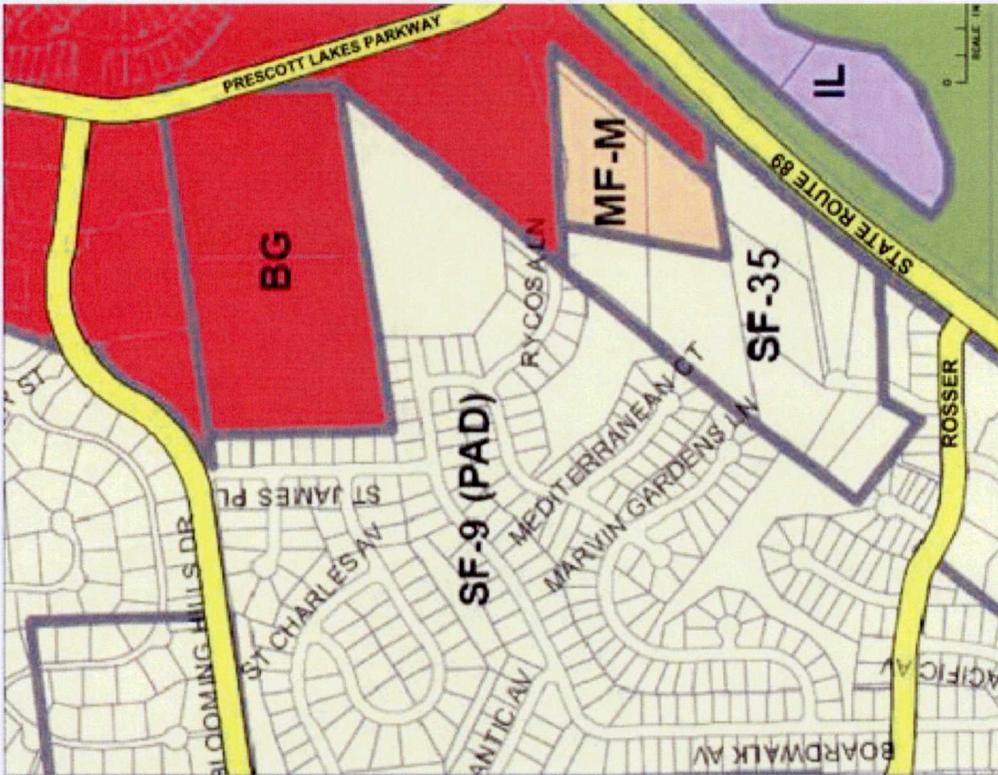
REZONING REQUESTED



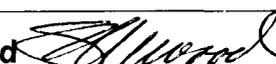
- REZONING REQUEST**
- AREA 1 - SF-9 TO BG**
- AREA 2 - MF-M TO BG**
- AREA 3 - BG TO SF-9**

- Proposed Commercial
- Proposed Residential
- Existing Residential
- Existing Commercial

EXISTING ZONING



COUNCIL AGENDA MEMO – June 3 & 10, 2008
DEPARTMENT: Community Development
AGENDA ITEM: Memorandum of Understanding with NACOG for the Administration of the Voucher Transit Program for FY '09.

Approved By:	Date:
Department Head: Tom Guice 	5.28.08
Finance Director: Mark Woodfill	
City Manager: Steve Norwood 	5/28/08

Background

The Arizona Department of Transportation (ADOT) receives funding from Arizona Powerball Lottery for this grant program. Funding provides transit-related activities for the elderly, persons with disabilities or "low income" and the general public. Local governments wanting to participate in the program are required to provide a 25% cash match of the amount allocated by the State.

Though the City of Prescott has used LTAF II funds in the past for a wide variety of transit purposes, including capital expenses and assisting non-profit agencies in handicapped vehicle purchases, the primary use of these funds has been for the transit voucher program.

In both FY '07 and FY '08, \$120,000 for transit vouchers has been paid to NACOG via the funded grants by the City of Prescott. In the past, there has been carry-over funding; however, the funds have now been depleted. The commitment will expire at the end of FY '08.

The Memorandum of Understanding remains unchanged from last year and includes:

- A 30-day written notice to modify, amend or terminate the agreement.
- Funds are distributed based on residency, not on origin/destination of travel.
- Transportation origination and destinations will be limited to the Quad-City area.
- Eligibility per grant requirements include youth, elderly (55 or older), developmentally disabled and low-income adults.
- Clients deemed eligible will be given vouchers based on need, as established by NACOG.
- At the time of service, the voucher will be presented to the service provider along with a \$2.00 co-pay required.
- NACOG receives a 15% administration fee for performing the duties as set forth in the MOU (attached).
- The MOU extends the ending date to June 30, 2009.

Attached is a summary of the number of rides provided, purpose of travel and the number of persons benefiting from this program during FY '08.

Agenda Item: Consider instructing staff to apply for LTAF II grant.

Staff is recommending funding the voucher transit program.

Financial

At the time Council accepted the grant funds (September 2007) staff was instructed to carry forward remaining grant funds plus the 25% cash match in an amount not to exceed \$120,000 for the FY '08 Voucher Transit Program. The funds were budgeted in FY '08 in Account #74-81004. The carry-over funds have now been depleted and there will be no carry over to FY '09. It is unknown whether LTAF II grant funds will be available until late August or early September 2008; consequently, a possibility exists that the City will be unable to fund the voucher program with LTAF II funds in FY '09.

Recommended Action

Move to adopt Resolution No. 3894-0862.

Recommended Action
Move to adopt Resolution No. 3894-0862

PRESCOTT TRANSPORTATION PROGRAM
Year-To-Date Voucher Report
07/01/07 to 06/30/08

	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	TOTAL TO DATE
Medical	890	936	964	987	933	915	918	1106	1043	1117	1036		10845
Basic Needs	1374	1364	1427	1504	1602	1443	1402	1585	1699	1771	1635		16806
Job Search	556	778	794	890	913	892	850	1110	1257	1167	1073		10280
Work	655	831	779	818	804	810	686	943	723	787	865		8701
Social Service	245	250	263	243	300	233	233	285	286	310	143		2791
Counseling	350	300	278	347	388	398	456	578	539	503	546		4683
Education	226	199	183	183	224	272	264	305	224	247	302		2629
Rides Requested													
Monthly Totals	4296	4658	4688	4972	5164	4963	4809	5912	5771	5902	5600	0	56735
# People Requesting Rides	324	326	329	331	340	303	309	345	355	365	366		3693

RESOLUTION NO. 3894-0862

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY OF PRESCOTT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU), WITH THE NORTHERN ARIZONA COUNCIL OF GOVERNMENTS (NACOG) – ECONOMIC WORKFORCE DEVELOPMENT, PROVIDING FOR THE ADMINISTRATION OF THE VOUCHER TRANSIT PROGRAM FOR FISCAL YEAR 2009, AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE

RECITALS:

WHEREAS, the City of Prescott and the Northern Arizona Council of Governments has entered into a Memorandum of Understanding (MOU) setting forth their agreement concerning their respective rights and responsibilities for the development and implementation of a voucher transit system; and

WHEREAS, this MOU shall supersede and replace all prior agreements between the parties with respect to their respective rights and responsibilities concerning the voucher transit system; and

WHEREAS, the City of Prescott and NACOG have the authority to enter into the foregoing agreement pursuant to ARS Section 11-952, 26-307 and 26-308; and

WHEREAS, the funding for the MOU is included in the City's Tentative Fiscal Year 2009 Budget in Account Number 74-81004; and

WHEREAS, the Northern Arizona Council of Governments has expertise in administering Local Transportation Assistance Funds (LTAFII).

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. That the City of Prescott hereby approves the attached Memorandum of Understanding between the City of Prescott and NACOG for administering the City's Local Transportation Assistance Funds (LTAFII) projects for FY '09, attached hereto as "Exhibit A".

Section 2. That the Mayor and Staff are hereby authorized to execute the attached Memorandum of Understanding and to take any and all steps deemed necessary to accomplish the above.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 10th day of June, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney

Exhibit "A"

MEMORANDUM OF UNDERSTANDING
between Northern Arizona Council of Governments-
Economic/Workforce Development Division
and the
City of Prescott, Arizona

General Provisions

I) Introduction - Purpose of Memorandum of Agreement

This Memorandum of Understanding (MOU) is made and entered into by and between the Northern Arizona Council of Governments - Economic Workforce Development, hereafter referred to as NACOG, and the City of Prescott, hereafter referred to as the City.

The purpose of this MOU is to establish an agreement between NACOG and the City concerning their respective rights and responsibilities for the development and implementation of a voucher transit system, or VTS, which shall serve the area including the City of Prescott, the Town of Prescott Valley, The Town of Dewey-Humboldt and the Town of Chino Valley, hereafter referred to as the Quad-City area.

All parties agree to coordinate and collaborate their efforts in mutual planning and implementation to ensure that each area benefits from this service. The vouchers shall be issued to residents of the City to be used for travel only within the Quad-City area. Residents of the City will pay a \$2.00 co-payment per service provided.

II) NACOG - Authorities and Responsibilities Expressly Implied

1. Fiscal Agent: NACOG will act as the fiscal agent for the VTS being responsible to receive and disperse funds.
2. Eligibility: NACOG will establish eligibility screening which conforms to the requirements set forth. Income level shall be based primarily on current income information.
3. Reporting: NACOG will collect data regarding all VTS users to include residency, origination, user name, eligibility category, age, income level as appropriate, and destination. This

information will be compiled and reported to the City on a quarterly basis.

4. Records Management: NACOG will prepare and maintain all records relating to the VTS for the duration of this agreement. Records will be released to the City, upon request, at the termination of this agreement.
5. Staff: NACOG shall select and employ staff in order to provide project supervision and direct client services. This staff shall also perform administrative services as applicable.
6. Compensation: NACOG will receive a 15% administrative fee for performing all duties set forth herein.
7. Contributions: NACOG, when applicable, will make available other resources to VTS recipients.

III) Services to be provided

It is understood and agreed upon by all parties that this agreement is the result of collaboration between the Quad-City area and NACOG. NACOG will develop and implement the VTS program, per the following guidelines:

1. Funds will be distributed based on residency not on origination/destination of travel, i.e., the residency or a recipient shall determine the allocation of funds from the respective Quad-City area VTS budget.
2. Transportation originations and destinations will be limited to the Quad-City area only.
3. Eligibility includes youth, elderly (55 or older), developmentally disabled and low income adults.
4. Special needs clients and unaccompanied youth will be given transportation only when appropriate accessibility and safety precautions can be provided.
5. Clients deemed eligible will be given vouchers based on a monthly expenditure budget for each city of residency. The vouchers will be given out on a first come first serve basis beginning on the 1st on each month.

6. Transportation will be provided only by approved vendors.
7. NACOG may, as the City has requested, authorize processing of vouchers by select organizations as may be deemed appropriate. Said organizations will be required to comply with all record maintenance procedures set forth by NACOG to facilitate the reporting process. NACOG reserves the right to withdraw on-site voucher processing from any organization which does not comply with required procedures.
8. The City agrees that NACOG shall not be held accountable in the event of abuse by another organization utilizing on-site voucher processing. Neither shall payments be denied for services rendered by providers in good faith.

IV) Assignment of this amended agreement

This agreement is not assignable in whole or in part by NACOG without the express written permission of the City.

V) Term of this agreement

The City and NACOG agree that the terms of this agreement will become effective upon execution by signature and shall continue until such time as either party provides 30 days written notice to modify or amend or terminate this agreement.

VI) Conflict of Interest

Pursuant to A.R.S. Section 38-511, the City may cancel this agreement, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting, or creating the agreement on behalf of the City is, at any time while the agreement or any extension of the amended agreement is in effect, an employee or agent of any other party to the agreement with respect to the subject matter of the agreement. In the foregoing event, the City further elects to recoup any fee or commission paid on behalf of the City from any other party to the agreement arising as a result of this agreement.

VII) Funding Level

The City agrees to fund the voucher program in the amount of _____ during the period July 1, 2008 to June 30, 2009. This equates to approximately _____ per month. NACOG's 15% administration charge would equal approximately _____ per month, with the remainder of the funds going directly towards funding the vouchers.

VIII) Signatures

This Memorandum of Understanding shall constitute the entire agreement of both parties and is executed upon signature.

Passed, Approved, and Adopted by the Mayor and Council of the City of Prescott this ____ day of _____, 2008.

Jack Wilson, Mayor

ATTEST:

Elizabeth A. Burke, City Clerk

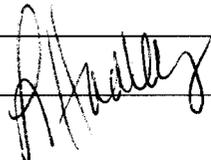
Pursuant to A.R.S. Section 11-952(D), the foregoing agreement has been reviewed by the undersigned attorney for the City of Prescott, who has determined that the agreement is in proper form and is within the powers and authority granted under the laws of this state to the City of Prescott.

Gary D. Kidd, City Attorney

Teri Drew
NACOG – Regional Director
Economic/Workforce Development Division

COUNCIL AGENDA MEMO – (June 3, 2008)	
DEPARTMENT:	Legal/Risk Division
AGENDA ITEM:	Renewal of insurance policies for FY09

Approved By:		Date:
Department Head:	Gary D. Kidd, City Attorney	
Finance Director:	Mark Woodfill	
City Manager:	Steve Norwood	



Item Summary-

This is the annual renewal of three (3) City insurance policies for FY09, that are due to be renewed on July 1, 2008. These policies cover our general liability, workers compensation and property.

Background:

Marsh USA Inc. (Marsh), the City's insurance broker, has recently completed its solicitations of competitive premium quotes for insurance that the City typically purchases annually. We directed our broker to subject all qualified insurance companies to obtain the best competitive pricing. Staff has reviewed the proposals and we have included the most favorable and recommended options. These policies are due to be renewed July 1. There are three (3) policies:

1. **Public Entity Liability**– Last year, Everest National Insurance and American Alternative (our excess carrier) provided coverage with a premium of \$233,000 and a self-insured retention (SIR deductible) of \$250,000). This policy covers our general municipal liability:
 - Option (a) This year, Everest National Insurance/American Alternative proposed a premium of \$233,000 with an increased SIR deductible of \$500,000.*
 - Option (b) AIG proposed a premium of \$308,701 with an SIR deductible of \$350,000.*

Due to changes in the insurance market, carriers are now wary of writing policies with an SIR of \$250,000 and few municipalities have this low deductible. Option (b) is recommended by Marsh due to the fact that it is hard to move to a lower deductible once the SIR is raised.

2. **Worker's Compensation** – Midwest Employers Casualty provided coverage in FY08 with a premium of \$64,439 and an SIR of \$500,000 for employees who sustain an on the job injury and whose claim costs exceed \$500,000 in workers compensation benefits.

Agenda Item: Renewal of insurance policies for FY09

✓ *Midwest Employer's Casualty* has proposed a premium of \$45,548. This is a reduction of \$16,891 over our current policy premium.

3. **Property** – Last year, the Traveler's Indemnity Co. provided coverage in FY08 with a premium of \$120,524 for property with our then total insured value (TIV) of \$128,251,027.

✓ *This year, the Traveler's Indemnity Co.* has proposed a premium of \$124,917 with a TIV of \$145,252,510.

The premium is higher due to the addition of the rodeo grounds and central Garage which add increased property values which have to be covered.

4. Additional Information: The following policies will be renewed at a later date and will be presented separately to Council:

Tenant Users Liability Insurance Policy (TULIP) (This provides liability coverage to groups who use City facilities for events and do not have their own insurance coverage) - September '08.

Airport Premises Liability – October '08. This is a special policy which covers airport liability.

NEW PROPOSED COVERAGE– Environmental policy – proposed in this year's budget to cover environmental operational areas.

Recommended Action: MOVE to authorize the Mayor and staff to purchase the following insurance policies for FY09:

Excess Public Entity Liability – from AIG - \$308,701

Excess Worker's Compensation – from Midwest Employer's Casualty - \$45,548

Property – Coverage from the Traveler's Indemnity Co. - \$124,917

TOTAL - \$479,166.00

COUNCIL AGENDA MEMO – June 3 & 10, 2008
DEPARTMENT: Budget and Finance
AGENDA ITEM: Banking Services Contract

Approved By:	Date:
Department Head: Mark Woodfill	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>Mark Woodfill for</i>	<i>5-28-08</i>

Background

With an annual budget of \$208 million (FY2008) the City utilizes many banking services. We request proposals every five years to make sure the fees we pay are comparable to the industry and to request new services that evolve in this area. The City currently uses JPMorgan Chase Bank as our servicing bank.

Item

We received proposals from five banks. All of the banks would be able to meet the City's need for a servicing bank. A price comparison was done based on projected monthly activities for banking services, which consists of the day-to-day banking activity i.e. deposits, checks, ACH transactions, wires, etc.

Estimated annual costs by proposers are:

Wells Fargo	\$ 25,437
M&I Bank	30,325
JPMorgan Chase	35,532
Compass Bank	38,229
National Bank	51,661

These are estimated amounts as the volume will vary from month to month and there are other features and options we could utilize which will also affect the total cost.

Recommended Action: MOVE to authorize staff and legal counsel to enter into an agreement with Wells Fargo Bank for banking services for three years with two additional one-year extensions.

COUNCIL AGENDA MEMO – June 3 & 10, 2008
DEPARTMENT: Budget and Finance
AGENDA ITEM: Transfer of Unencumbered FY 2008 Appropriation

Approved By:	Date:
Department Head: Mark Woodfill	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>Ray Woodfill for</i>	<i>5-28-08</i>

Background

City Charter Article VI Section 10 requires the City Council to approve transfers of Budget Appropriations among departments. This is a transfer of spending authority not cash. One transfer is needed for fiscal year 2008.

Item

It is anticipated that the Self-Insurance Fund will exceed budgeted expenditures by approximately \$300,000, from claims being higher than anticipated. There is a sufficient fund balance to cover this overage so this is a transfer of budget appropriation and not cash. An unencumbered appropriation in the Capital Improvement Fund associated with capital projects is available for transfer.

Recommended Action: Consider Resolution No. 3892-0860

RESOLUTION NO. 3892-0860

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, APPROVING THE TRANSFER OF UNENCUMBERED APPROPRIATIONS FROM THE CAPITAL IMPROVEMENT FUND TO THE SELF-INSURANCE FUND

RECITALS:

WHEREAS, Article VI, Section 10 of the Prescott City Charter allows the City Council to transfer appropriations among various City departments; and

WHEREAS, there are unencumbered appropriations allocated to the Capital Improvement Fund that were not expended during fiscal year 2007-08; and

WHEREAS, the budgeted amount for the Self-Insurance Fund will be insufficient to meet the fiscal needs for fiscal year 2007-08.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT, the Mayor and Staff are authorized to transfer from unencumbered funds allocated to the Capital Improvement Fund for fiscal year 2007-08 to the Self-Insurance Fund in the sum of Three Hundred Thousand Dollars (\$300,000.00).

SECTION 2. THAT, the Mayor and staff are hereby authorized and directed to execute any and all documents in order to effectuate the foregoing.

PASSED and ADOPTED by the Mayor and Council of the City of Prescott, Arizona, this 10th day of June, 2008.

JACK D WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A BURKE, City Clerk

GARY D KIDD, City Attorney

COUNCIL AGENDA MEMO – June 3 & 10, 2008
DEPARTMENT: Budget and Finance
AGENDA ITEM: TENTATIVE BUDGET FOR FISCAL YEAR 2009

Approved By:	Date:
Department Head: Mark Woodfill	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>Craig Woodfill for</i>	<i>5-28-08</i>

A workshop was held on May 22, 2008 to discuss the proposed budget where Council directed modifications to the budget. Attached are the Council directed adjustments to the budget.

The remaining steps in the fiscal year 2009 budget process are:

June 10	Adopt tentative budget	Set the public hearing date for: <ul style="list-style-type: none"> • Final budget • Expenditure limitation • Tax levy Set the date for adoption of the tax levy, and authorize the publishing of the tentative budget forms in the paper for two consecutive weeks
June 24	Public Hearing	Public hearing on the budget, expenditure limitation and property tax levy
June 24	Final adoption	Sets the final budget for FY 09 Establishes the expenditure limitation for FY 09 Adopts the Capital Improvement Program Approve of City Job Roster Identification of Unfunded Capital
July 15	Adoption of Tax Levy	

Attached is the resolution for the adoption of the tentative budget along with the related schedules. This resolution sets a date of June 24, 2008 for the public hearing of the final budget, expenditure limitation, and the tax levy, as well as setting the tentative budget for FY 2009. Also attached are PowerPoint slides summarizing the budget. This tentative budget incorporates the changes from the Council Workshop.

Recommended Action: MOVE to adopt Resolution # <u>3893-0861</u>
--

RESOLUTION NO. 3893-0861

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ADOPTING A TENTATIVE BUDGET, ADOPTING THE ESTIMATED AMOUNTS REQUIRED TO MEET THE PUBLIC EXPENSES FOR THE CITY OF PRESCOTT FOR THE FISCAL YEAR 2008-09, AUTHORIZING AND DIRECTING PUBLICATION OF STATEMENTS AND SCHEDULES OF THE TENTATIVE BUDGET, TOGETHER WITH NOTICE OF HEARING ON SAID BUDGET AND NOTICE OF DATE OF FINAL ADOPTION OF SAID BUDGET, AND NOTICE OF DATE OF ESTABLISHMENT OF THE EXPENDITURE LIMITATION, AND NOTICE OF THE DATE FOR FIXING A TAX LEVY

RECITALS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT, the statements and schedules attached are hereby adopted as the estimated amounts required to meet the public expenses for the City of Prescott and as the tentative budget for the fiscal year 2008-09. Copies of said statements and schedules have been distributed to the Council and are on file in the office of the City Manager. Said copies are attached hereto for the purpose of publication only, except that they are hereby ordered to be entered into the minutes of the City Council of the City of Prescott.

SECTION 2. THAT, the Clerk is hereby authorized and directed to publish in the manner prescribed by law, the attached statements and schedules as said tentative budget, together with a copy of this Resolution as notice of the meetings of the City Council, to wit:

- A. That the City Council will meet on the 24th day of June, 2008, at 3:00 P.M., in the Council Chambers of the Municipal Offices Building, 201 South Cortez Street, Prescott, Arizona, at a Regular Meeting to hold a public hearing when and where any citizen may appear and be heard or submit written comments in favor of or against any proposed use within the budget, expenditure limitation, or the tax levy; at said time and place or after said hearing for the purpose of finally adopting the budget and establishment of the expenditure limitation for the fiscal year 2008-09 for the City of Prescott. The proposed budget may be examined on weekdays at 201 South Cortez Street, Prescott, Arizona, between 8:00 A.M. and 5:00 P.M.
- B. That the City Council will further meet at a Special Meeting on the 15th day of July, 2008, at 3:00 P.M. in the Council Chambers of the Municipal Building, 201 South Cortez Street, Prescott, Arizona, for the purpose of adopting the property tax levy for fiscal year 2008-09 for the City of Prescott.

SECTION 3. THAT, upon the recommendation by the City Manager and with the approval of the Council, expenditures may be made from the appropriation for contingencies. The transfers of any sums within or without any specific appropriations shall conform to Article VI, Section 11, Prescott City Charter.

SECTION 4. THAT, money from any fund may be used for any of these appropriations except money specifically restricted by State Law, City Charter, codes, ordinance, or resolution.

PASSED and ADOPTED by the Mayor and Council of the City of Prescott, Arizona, on this 10th day of June, 2008.

JACK D WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A BURKE, City Clerk

GARY D KIDD, City Attorney

CITY OF PRESCOTT, ARIZONA
Summary Schedule of Estimated Revenues and Expenditures/Expenses
Fiscal Year 2009

FUND	ADOPTED BUDGETED EXPENDITURES/EXPENSES* 2008	ACTUAL EXPENDITURES/EXPENSES ** 2008	FUND BALANCE/NET ASSETS*** July 1, 2008**	PROPERTY TAX REVENUES 2009	ESTIMATED REVENUES OTHER THAN PROPERTY TAXES 2009	OTHER FINANCING 2009		INTERFUND TRANSFERS 2009		TOTAL FINANCIAL RESOURCES AVAILABLE 2009	BUDGETED EXPENDITURES/EXPENSES 2009
						SOURCES	<USES>	IN	<OUT>		
1. General Fund	\$ 34,890,506	\$ 33,637,770	\$ 11,070,138	Primary: \$ 1,215,502 Secondary: \$	\$ 33,997,459	\$ 250,000	\$	\$ 80,000	\$ 2,495,070	\$ 44,118,029	\$ 33,637,409
2. Special Revenue Funds	65,596,200	38,610,040	20,860,096		27,259,913			4,556,967	2,693,768	49,993,208	45,524,994
3. Debt Service Funds Available	2,711,630	2,361,630	198,058	1,923,785	459,517					2,561,360	2,369,675
4. Less: Designation for Future Debt Retirement											
5. Total Debt Service Funds	2,711,630	2,361,630	198,058	1,923,785	459,517					2,561,360	2,369,675
6. Capital Projects Funds											
7. Permanent Funds	100,000	100,000	673,705		20,000					693,705	100,000
8. Enterprise Funds Available	89,063,447	46,503,141	27,304,351		58,143,560	41,481,450		724,871	298,000	127,356,232	104,703,002
9. Less: Designation for Future Debt Retirement											
10. Total Enterprise Funds	89,063,447	46,503,141	27,304,351		58,143,560	41,481,450		724,871	298,000	127,356,232	104,703,002
11. Internal Service Funds	15,483,693	11,792,162	4,712,301		10,375,533			125,000		15,212,834	15,132,062
12. TOTAL ALL FUNDS	\$ 207,845,476	\$ 133,004,743	\$ 64,818,649	\$ 3,139,287	\$ 130,255,982	\$ 41,731,450	\$	\$ 5,486,838	\$ 5,486,838	\$ 239,945,368	\$ 201,687,142

EXPENDITURE LIMITATION COMPARISON

1. Budgeted expenditures/expenses	2008	2009
2. Add/subtract: estimated net reconciling items	\$ 207,845,476	\$ 201,687,142
3. Budgeted expenditures/expenses adjusted for reconciling items	207,845,476	201,687,142
4. Less: estimated exclusions	\$	\$
5. Amount subject to the expenditure limitation	\$ 207,845,476	\$ 201,687,142
6. EEC or voter-approved alternative expenditure limitation	\$	\$

* Includes Expenditure/Expense Adjustments Approved in 2007-08 from Schedule E.

** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.

*** Amounts in this column represent Fund Balance/Net Asset amounts except for amounts invested in capital assets, net of related debt, and reserved/restricted amounts established as offsets to assets presented for informational purposes (i.e., prepaids, inventory, etc.).

CITY OF PRESCOTT, ARIZONA
Summary of Tax Levy and Tax Rate Information
Fiscal Year 2009

	2008	2009
1. Maximum allowable primary property tax levy. A.R.S. §42-17051(A)	\$ 1,207,632	\$ 1,278,666
2. Amount received from primary property taxation in the current year in excess of the sum of that year's maximum allowable primary property tax levy. A.R.S. §42-17102(A)(18)	\$	
3. Property tax levy amounts		
A. Primary property taxes	\$ 1,160,983	\$ 1,215,502
B. Secondary property taxes	1,915,789	1,939,408
C. Total property tax levy amounts	\$ 3,076,772	\$ 3,154,910
4. Property taxes collected*		
A. Primary property taxes		
(1) Current year's levy	\$ 1,139,686	
(2) Prior years' levies	21,297	
(3) Total primary property taxes	\$ 1,160,983	
B. Secondary property taxes		
(1) Current year's levy	\$ 1,882,242	
(2) Prior years' levies	33,547	
(3) Total secondary property taxes	\$ 1,915,789	
C. Total property taxes collected	\$ 3,076,772	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	0.1991	0.1839
(2) Secondary property tax rate	0.2981	0.2394
(3) Total city/town tax rate	0.4972	0.4233

B. Special assessment district tax rates
Secondary property tax rates - As of the date the proposed budget was prepared, the City of Prescott did not operate any special assessment districts for which secondary property taxes are levied.

* Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.

CITY OF PRESCOTT, ARIZONA
Summary by Fund Type of Revenues Other Than Property Taxes
Fiscal Year 2009

SOURCE OF REVENUES	ESTIMATED REVENUES 2008	ACTUAL REVENUES* 2008	ESTIMATED REVENUES 2009
GENERAL FUND			
Local taxes			
Privilege and Use Tax	\$ 16,372,000	\$ 15,302,764	\$ 15,121,000
Franchise Taxes	1,536,865	1,518,632	1,564,191
Licenses and permits	1,322,650	787,750	895,915
Intergovernmental			
State	12,403,799	12,123,799	12,282,566
Local Jurisdictions	2,224,962	2,192,806	2,304,733
Charges for services	783,550	752,253	753,529
Fines and forfeits	407,572	446,900	449,000
Interest on investments	300,000	475,000	200,000
In-lieu property taxes	94,550	94,550	94,550
Miscellaneous	286,525	350,659	331,975
Total General Fund	\$ 35,732,473	\$ 34,045,113	\$ 33,997,459
SPECIAL REVENUE FUNDS			
Highway User Revenue Fund			
Intergovernmental - State	\$ 3,839,608	\$ 3,524,517	\$ 3,895,679
Intergovernmental - Local Jurisdictions	250,759	247,050	294,264
Miscellaneous	373,352	308,117	278,950
Total Highway User Revenue Fund	\$ 4,463,719	\$ 4,079,684	\$ 4,468,893
Streets and Open Space Fund			
Streets and Open Space Tax	\$ 15,945,000	\$ 14,724,000	\$ 14,684,000
Intergovernmental - County	839,615	728,961	
Interest Earned	754,000	622,000	519,000
Intergovernmental - Local Jurisdictions	452,614	53,570	799,080
Total Streets and Open Space Fund	\$ 17,991,229	\$ 16,128,531	\$ 16,002,080
Transient Occupancy fund			
Transient Occupancy Tax	\$ 440,592	\$ 550,740	\$ 680,715
Fees/Donations			37,000
Miscellaneous	3,000	6,768	3,000
Total Transient Occupancy Fund	\$ 443,592	\$ 557,508	\$ 720,715
Capital Improvement Fund			
Sale of Property	\$ 8,000,000	\$ 500,000	
Donations/Contributions			
Interest Earned	300,000	350,000	176,389
Miscellaneous	13,000	1,100	1,000
Total Capital Improvement Fund	\$ 8,313,000	\$ 851,100	\$ 177,389
Impact Fees Fund			
Impact Fees	\$ 1,452,150	\$ 596,995	\$ 596,995
Miscellaneous	139,718	123,918	123,918
Total Impact Fees Fund	\$ 1,591,868	\$ 720,913	\$ 720,913
Grants Fund			
Miscellaneous Grants	\$ 4,697,786	\$ 1,165,986	\$ 5,169,923
Total Grants Fund	\$ 4,697,786	\$ 1,165,986	\$ 5,169,923
Total Special Revenue Funds	\$ 37,501,194	\$ 23,503,722	\$ 27,259,913

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

CITY OF PRESCOTT, ARIZONA
Summary by Fund Type of Revenues Other Than Property Taxes
Fiscal Year 2009

SOURCE OF REVENUES	ESTIMATED REVENUES 2008	ACTUAL REVENUES* 2008	ESTIMATED REVENUES 2009
DEBT SERVICE FUNDS			
Special Assessments	\$ 458,253	\$ 322,151	\$ 322,151
Interest Earned	336,952	158,054	137,366
	\$ 795,205	\$ 480,205	\$ 459,517
Total Debt Service Funds	\$ 795,205	\$ 480,205	\$ 459,517
PERMANENT FUNDS			
Acker Trust	\$ 26,000	\$ 27,500	\$ 20,000
Miscellaneous Gift Fund	26,000	75,000	20,000
	\$ 26,000	\$ 102,500	\$ 20,000
Total Permanent Funds	\$ 26,000	\$ 102,500	\$ 20,000
ENTERPRISE FUNDS			
Water Fund	\$ 19,985,028	\$ 16,902,221	\$ 22,030,453
Wastewater Fund	6,346,805	5,837,545	7,949,402
Solid Waste Fund	6,018,193	5,839,428	
Transfer Station Fund	5,253,241	3,478,371	
Solid Waste/Transfer Station Fund			9,798,603
Golf Course Fund	4,224,682	3,711,373	4,166,660
Airport Fund	3,309,554	2,095,478	14,122,642
Parking Garage Fund	78,000	65,362	75,800
Total Enterprise Funds	\$ 45,215,503	\$ 37,929,778	\$ 58,143,560
INTERNAL SERVICE FUNDS			
Central Garage Fund	\$ 5,514,810	\$ 5,722,850	\$ 4,481,785
Self-Insurance Fund	1,778,301	1,741,301	2,355,204
Facilities Maintenance Fund	955,726	954,196	1,180,934
Engineering Fund	2,335,433	2,364,701	2,357,610
Total Internal Service Funds	\$ 10,584,270	\$ 10,783,048	\$ 10,375,533
TOTAL ALL FUNDS	\$ 129,854,645	\$ 106,844,366	\$ 130,255,982

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

CITY OF PRESCOTT, ARIZONA
Summary by Fund Type of Other Financing Sources/<Uses> and Interfund Transfers
Fiscal Year 2009

FUND	OTHER FINANCING 2009		INTERFUND TRANSFERS 2009	
	SOURCES	<USES>	IN	<OUT>
GENERAL FUND				
	\$ 250,000	\$	\$ 80,000	\$ 2,495,070
Total General Fund	\$ 250,000	\$	\$ 80,000	\$ 2,495,070
SPECIAL REVENUE FUNDS				
Grants Fund	\$	\$	\$ 741,159	\$
1% Streets and Open Space			187,894	1,201,270
Capital Improvement Fund			3,627,914	701,292
Impact Fees				783,679
Streets (HURF) Fund				7,527
Total Special Revenue Funds	\$	\$	\$ 4,556,967	\$ 2,693,768
DEBT SERVICE FUNDS				
	\$	\$	\$	\$
Total Debt Service Funds	\$	\$	\$	\$
CAPITAL PROJECTS FUNDS				
	\$	\$	\$	\$
Total Capital Projects Funds	\$	\$	\$	\$
PERMANENT FUNDS				
	\$	\$	\$	\$
Total Permanent Funds	\$	\$	\$	\$
ENTERPRISE FUNDS				
Water Fund	\$ 19,000,000	\$	\$	\$ 149,000
Wastewater Fund	21,000,000			149,000
Parking Garage			23,579	
Airport/Airport Grants	861,450		701,292	
Golf Course Fund	620,000			
Total Enterprise Funds	\$ 41,481,450	\$	\$ 724,871	\$ 298,000
INTERNAL SERVICE FUNDS				
Engineering Fund	\$	\$	\$	\$
Central Garage Fund			125,000	
Total Internal Service Funds	\$	\$	\$ 125,000	\$
TOTAL ALL FUNDS	\$ 41,731,450	\$	\$ 5,486,838	\$ 5,486,838

CITY OF PRESCOTT, ARIZONA
Summary by Department of Expenditures/Expenses Within Each Fund Type
Fiscal Year 2009

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2008	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2008	ACTUAL EXPENDITURES/ EXPENSES* 2008	BUDGETED EXPENDITURES/ EXPENSES 2009
GENERAL FUND				
City Council	\$ 65,668	\$	\$ 56,340	\$ 59,353
City Clerk	253,457		85,260	125,712
City Court	553,132		500,093	521,285
City Manager	1,726,995		1,623,263	1,604,204
Legal Department	296,135		251,627	285,357
Budget & Finance	1,588,715		1,487,673	1,911,028
Administrative Services	574,499		521,672	585,576
Community Development	2,753,941		2,615,679	2,430,949
Parks, Recreation & Library	6,356,522		6,301,364	6,079,335
Police Department	12,903,536		12,498,118	10,217,104
Fire Department	7,817,906		7,696,681	7,550,839
Regional Communications				2,486,667
Total General Fund	\$ 34,890,506	\$	\$ 33,637,770	\$ 33,857,409
SPECIAL REVENUE FUNDS				
Highway User Fund	\$ 4,563,615	\$	\$ 4,157,878	\$ 4,165,866
1% Streets and Open Space	39,222,070		26,545,179	23,225,513
Transient Occupancy Tax	474,500		458,906	839,122
Capital Improvement Fund	14,906,859	(450,000)	4,447,761	11,160,211
Impact Fee Fund	1,433,125	150,000	1,554,604	223,200
Grants Fund	5,296,031		1,445,712	5,911,082
Total Special Revenue Funds	\$ 65,896,200	\$ (300,000)	\$ 38,610,040	\$ 45,524,994
DEBT SERVICE FUNDS	\$ 2,711,630	\$	\$ 2,361,630	2,369,675
CAPITAL PROJECTS FUNDS				
Capital Projects				
Total Capital Projects Funds	\$	\$	\$	\$
PERMANENT FUNDS				
Trust Funds	100,000		100,000	100,000
Total Permanent Funds	\$ 100,000	\$	\$ 100,000	\$ 100,000
ENTERPRISE FUNDS				
Water Fund	\$ 44,994,671	\$	\$ 16,273,371	\$ 48,740,756
Wastewater Fund	23,049,931		13,368,760	28,002,728
Solid Waste Fund	5,763,198		5,377,019	
Transfer Station Fund	5,897,867		4,633,151	
Solid Waste/Transfer Station				10,061,302
Golf Course Fund	4,996,732		4,430,187	4,470,926
Airport Fund	4,251,808		2,321,276	13,309,432
Parking Garage Fund	109,240		99,377	117,858
Total Enterprise Funds	\$ 89,063,447	\$	\$ 46,503,141	\$ 104,703,002
INTERNAL SERVICE FUNDS				
Central Garage	\$ 10,262,245	\$	\$ 6,591,428	\$ 9,330,254
Self-Insurance Fund	1,651,301	300,000	1,930,587	2,265,204
Engineering Fund	2,331,933		2,331,933	2,357,610
Facilities Maintenance Fund	938,214		938,214	1,178,994
Total Internal Service Funds	\$ 15,183,693	\$ 300,000	\$ 11,792,162	\$ 15,132,062
TOTAL ALL FUNDS	\$ 207,845,476	\$	\$ 133,004,743	\$ 201,687,142

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

CITY OF PRESCOTT, ARIZONA
Summary by Department of Expenditures/Expenses
Fiscal Year 2009

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2008	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2008	ACTUAL EXPENDITURES/ EXPENSES * 2008	BUDGETED EXPENDITURES/ EXPENSES 2009
Public Works:				
1% Streets and Open Space	\$ 39,175,570	\$	\$ 26,545,179	\$
Streets (HURF) Fund	4,563,615		4,165,866	
Water Fund	44,994,671		16,273,371	
Wastewater Fund	22,599,931		13,368,760	
Department Total	\$ 111,333,787	\$	\$ 60,353,176	\$
Field Operations				
Streets (HURF) Fund	\$	\$	\$	\$ 3,344,784
Solid Waste/Transfer Station				10,061,302
Department Total	\$	\$	\$	\$ 13,406,086
Utilities				
Water Fund	\$	\$	\$	\$ 48,740,756
Wastewater Fund				28,002,728
Department Total	\$	\$	\$	\$ 76,743,484
Transportation Engineering				
Engineering	\$	\$	\$	\$ 2,357,610
1% Streets and Open Space				23,225,513
Streets (HURF) Fund				821,082
Department Total	\$	\$	\$	\$ 26,404,205

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

City of Prescott
Tentative Budget
Fiscal Year 2009

Reconciliation

Total Budget Presented at Workshop	203,436,243
Additions:	
Capital Needs Committee Recommendations	???
Golf Course Carts (carryover)	620,000
Transient Occupancy Tax Contingency	60,090
Additional Election	35,000
Qwest Property Tax Judgement	25,809
Meals on Wheels	10,000
Total Additions	<u>750,899</u>
Reductions:	
Airport ARFF Construction Grant (move to FY10)	<u>(2,500,000)</u>
Total Reductions	<u>(2,500,000)</u>
Tentative Adopted Budget	<u><u>201,687,142</u></u>

Adjustment with No Net Impact:
 Open Space Management transferred from General Fund to
 Transient Occupancy Tax Fund

Total Budget

	FY08	FY09	%
	Budget	Budget	Change/ Budget
Operating	85,433,281	80,514,053	-5.8%
Capital Outlay/Projects	<u>122,412,195</u>	<u>121,173,089</u>	-1.0%
Total	207,845,476	201,687,142	-3.0%

Remaining Steps

- June 10 Adopt Tentative Budget
 - Set public hearing date for:
 - Final Budget
 - Expenditure Limitation
 - Property Tax Levy
 - Set date of property tax levy
 - Authorize the publishing of tentative budget
 - June 24 Public Hearing & Final Adoption
 - Public Hearing on Budget, Expenditure Limitation & Tax Levy
 - Set the Final Budget for FY 09
 - Establish Expenditure Limitation for FY 09
 - Adopt CIP for FY 10 – FY 14
 - July 15 Adoption of Tax Levy
-

COUNCIL AGENDA MEMO – (June 3 & June 10, 2008)

DEPARTMENT: City Clerk

AGENDA ITEM: Public Hearing and consideration of a liquor license application from Harold Anderson, Agent for Gas Plus, for a Series 10, Beer & Wine Store, license for Gas Plus located at 421 East Sheldon Street.

Approved By:

Date:

Department Head: Elizabeth A. Burke	
Finance Director: <i>Broughton</i>	
City Manager: Steve Norwood	5-28-08

A Liquor License Application, City No. 08-043 State No. 10133195, has been received from Harold Anderson, Agent for Gas Plus, for a Series 10, Beer & Wine Store, License for **Gas Plus** located at 421 East Sheldon Street.

The public hearing will be held at the Regular Council Meeting of Tuesday, June 10, 2008. The applicant has been requested to attend the Regular Meeting to answer any questions Council may have.

This application is due to a change in ownership. The original license for this location was first issued in 1994. A copy of the application is available for Council's review in the City Clerk's Office.

Recommended Action: (1) **MOVE** to close the Public Hearing. (2) **MOVE** to approve/deny State Liquor License Application No. 10133195, for a new Series 10, Beer & Wine Store, License for Harold Anderson, Agent for Gas Plus Prescott, LLC, for Gas Plus located at 421 E. Sheldon Street.

**ARIZONA STATE LIQUOR LICENSES
TYPES / PURPOSES
AS OF 04/07**

License Types: Series 01 In-State Producer's License

Allows an in-state producer to produce or manufacture spirituous liquor and sell the product to a licensed wholesaler.

License Types: Series 02 Out-of-State Producer's License

Allows an out-of-state producer, exporter, importer or rectifier to ship spirituous liquor into the state to a licensed Arizona wholesaler.

License Types: Series 03 Domestic Microbrewery License

Allows the licensee of a microbrewery to manufacture or produce not less than 5,000 gallons of beer in each calendar year following the first year of operation and not more than 620,000 gallons of beer in a calendar year.

License Types: Series 04 Wholesaler's License

Allows a wholesaler to warehouse and distribute for sale, spirituous liquor to a licensed retailer.

License Types: Series 05 Government License

Allows the holder of a government license to sell and serve spirituous liquor solely for consumption on the premises for which the license is issued. The license is issued in the name of a county, city, town or state university whose governing body has authorized its use.

License Types: Series 06 Bar License – Transferable

Allows a bar retailer to sell and serve spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises.

License Types: Series 07 Beer and Wine Bar License - Transferable

Allows a beer and wine bar retailer to sell and serve beer and wine, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises.

License Types: Series 08 Conveyance License (Airplanes, Trains, and Boats)

Allows the owner or lessee of an operating airline, railroad or boat to sell all spirituous liquors in individual portions or in original containers for consumption *only* on the plane, train or boat.

License Types: Series 09 Liquor Store License (All spirituous liquors) - Transferable

Allows a spirituous liquor store retailer to sell all spirituous liquors, only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises.

License Types: Series 10 Beer and Wine Store License (Beer and wine only)

Allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises.

License Types: Series 11 Hotel/Motel License (with Restaurant)

Allows the holder of a hotel/motel license to sell and serve spirituous liquor solely for consumption on the premises of a hotel or motel that has a restaurant where food is served on the premises.

License Types: Series 12 Restaurant License

Allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food.

License Types: Series 13 Domestic Farm Winery License

Allows a domestic farm winery licensee to manufacture or produce more than two hundred (200) gallons, but less than seventy-five thousand (75,000) gallons of wine annually, from grapes or other agricultural products, of which at least seventy-five percent (75%) are grown in this state.

License Types: Series 14 Club License

Allows the holder of a club license to sell and serve spirituous liquor for consumption only on the premises owned, leased or occupied by the club, and only to bona fide members of the club and their guests.

License Types: Series 15 Special Event License

Allows a charitable, civic, fraternal, political or religious organization to sell and serve spirituous liquor for consumption only on the premises where the spirituous liquor is sold, and only for the period authorized on the license. This is a temporary license.

Non-transferable License Types: Series 16 Wine Festival/Wine Fair License (Temporary)

1. Wine festival license: Allows a licensed domestic farm winery to serve samples of its products on the wine festival premises and the sale of such products in original containers for consumption off the wine festival premises.
2. Wine fair license: Allows a licensed domestic farm winery to serve samples of its products at a sanctioned county or state fair, and the sale of such products in original containers for consumption off the fair premises.

License Types: Series 17 Direct Shipment License

Allows an out-of-state producer, exporter, importer, or rectifier to take orders from retail customers by telephone, mail, catalog or the Internet. The orders must be shipped into the state to a licensed Arizona wholesaler. The wholesaler must sell the product to a licensed retailer. The retailer will deliver the spirituous liquor to the customer.

R19-1-102. Granting a License for a Certain Location

Local governing authorities and the Department may consider the following criteria in determining whether public convenience requires and that the best interest of the community will be substantially served by the issuance or transfer of a liquor license at a particular unlicensed location:

1. Petitions and testimony from persons in favor of or opposed to the issuance of a license who reside in, own or lease property in close proximity.
2. The number and series of licenses in close proximity.
3. Evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies.
4. The residential and commercial population of the community and its likelihood of increasing, decreasing or remaining static.
5. Residential and commercial population density in close proximity.
6. Evidence concerning the nature of the proposed business, its potential market, and its likely customers.
7. Effect on vehicular traffic in close proximity.
8. The compatibility of the proposed business with other activity in close proximity.
9. The effect or impact of the proposed premises on businesses or the residential neighborhood whose activities might be affected by granting the license.
10. The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report(s) of such activity at least 20 days before the hearing by the Board.
11. Comparison of the hours of operation of the proposed premises to the existing businesses in close proximity.
12. Proximity to licensed childcare facilities as defined by A.R.S. § 36-881.

Historical Note

Former Rule 2; Former Section R4-15-02 renumbered as Section R4-15-102 without change effective October 8, 1982 (Supp. 82-5). Repealed effective July 11, 1983 (Supp. 83-4). New Section adopted effective March 3, 1993 (Supp. 93-1). R19-1-102 recodified from R4-15-102 (Supp. 95-1). Amended by final rulemaking at 11 A.A.R. 5119, effective January 9, 2006 (Supp. 05-4).

Editor's Note: The following Section was amended under an exemption from the Arizona Administrative Procedure Act (A.R.S. Title 41, Chapter 6) pursuant to Laws 1996, Ch. 307 § 18. Although exempt from certain provisions of the rulemaking process, the Department was required to provide for reasonable notice and hearing. This Section was not reviewed by the Governor's Regulatory Review Council; and the Department did not submit notice of proposed rulemaking to the Secretary of State for publication in the Arizona Administrative Register (Supp